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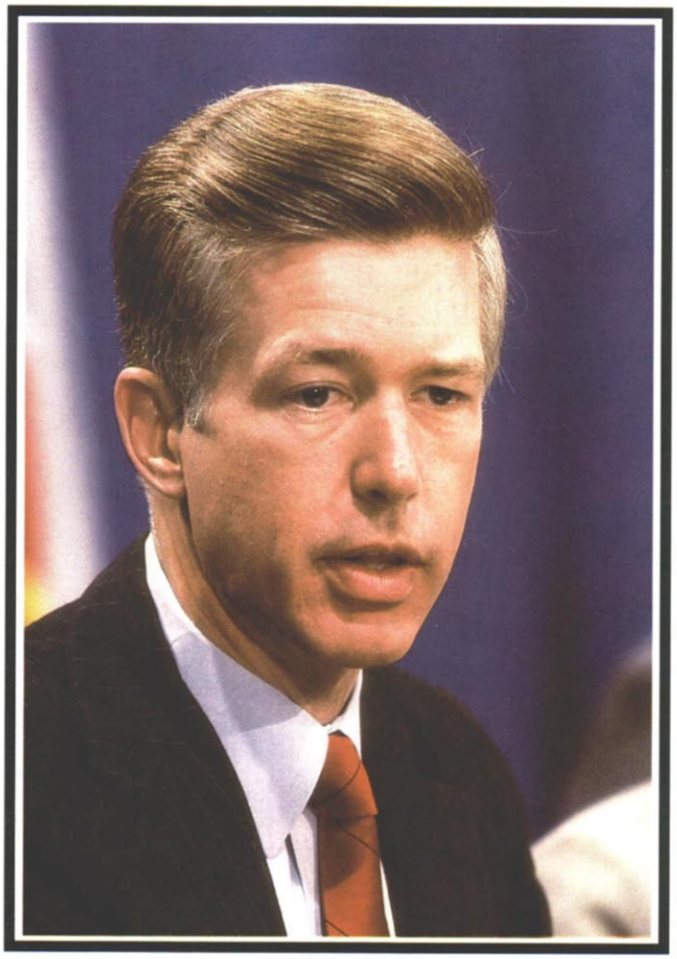
Inside: The New Election Weekly

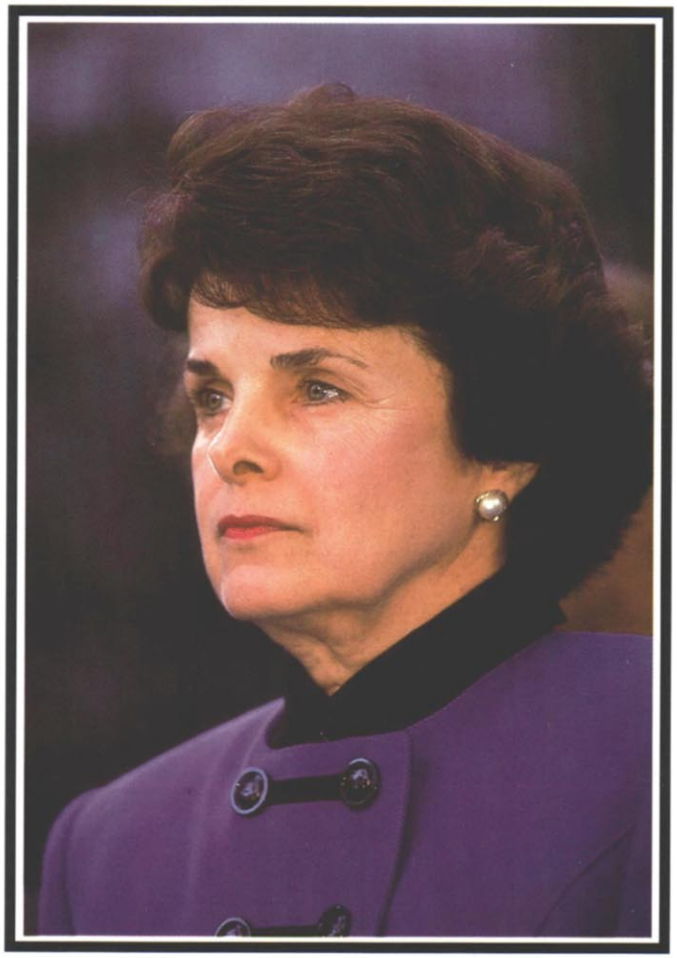
California JOURNAL

INDEPENDENT ANALYSIS OF POLITICS AND GOVERNMENT

Davis vs. Feinstein

The Spoiler & The Front-runner





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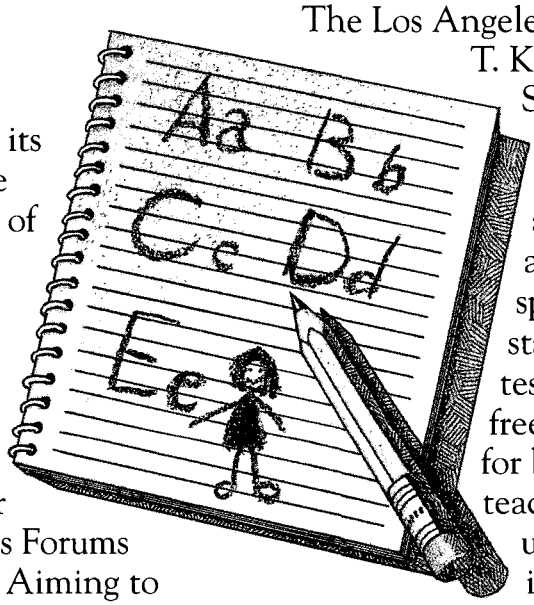
Rethinking Public Education in America

When it comes to explaining the lack of improvement in academic achievement among American children, most people are all too eager to blame the nation's school system. Yet few can agree how best to reshape U.S. elementary and secondary schools to meet the educational challenges of the 1990s.

As a company with a major presence in this country and interest in its well-being, we share the concern about the state of U.S. education.

That's why Hitachi recently joined forces with the California Chamber of Commerce and other civic-minded organizations to sponsor California Public Affairs Forums on educational reform. Aiming to develop a consensus on school reform, we invited several hundred educators, business executives, government officials, parents, and journalists from the San Francisco area to hear experts discuss their ideas on educational reform. Two days later in Los Angeles a similar audience heard another prestigious panel address the same topic.



Each forum featured a leading proponent of educational reform as its keynote speaker. In San Francisco, it was William J. Bennett, formerly U.S. Secretary of Education and now a senior fellow at the Hudson Institute. The Los Angeles forum featured David T. Kearns, Deputy U.S. Secretary of Education.

Among the proposed reforms: year-around school attendance; more specialized schools; standardized achievement tests and curricula; and freedom of school choice for both parents and teachers. The speakers also urged greater business involvement in public education.

It's our hope that these ideas will contribute to a growing consensus on educational reform in the U.S.

To obtain copies of the speakers' presentations and other information, write: Hitachi, P.O. Box 35146, Los Angeles, CA 90035.

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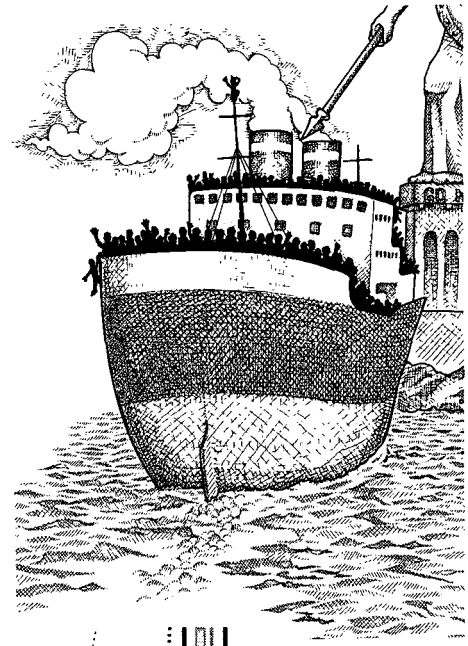

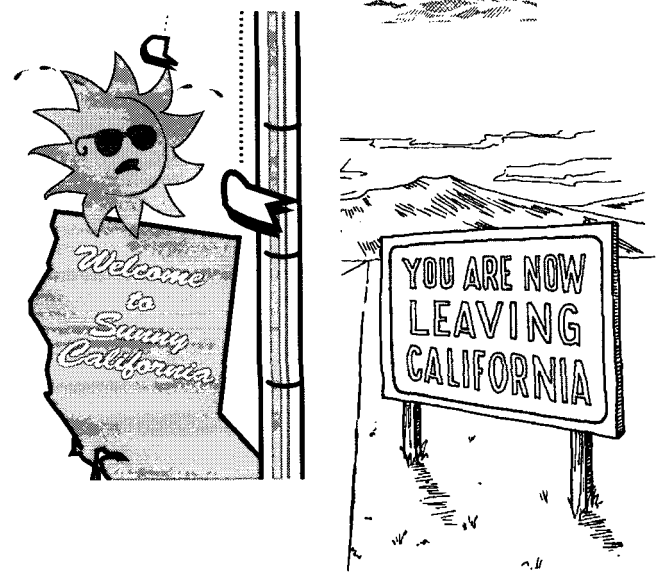

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UP FRONT

Nobody asked department. When Barbara Carr was appointed to a vacant seat on the La Mesa-Spring Valley School Board recently, she was supposed to be a compromise candidate between fundamentalist Christians and mainstream conservatives. The two factions had been tangling over a replacement for Carl Forrester, who had resigned from the San Diego County board. Carr had been interviewed for the appointment in January but rejected because she was the top choice of two board members opposed to the fundamentalists' agenda. But after the board failed to agree on a candidate suitable to all, Carr was interviewed a second time. Fundamentalists reviewed her credentials again — including public opposition to a Spring Valley adult bookstore and dedication to family values — and declared her fit. But it seems they didn't review *all* of her credentials. They didn't, for example, know of her membership in a grass-roots group fighting a fundamentalist takeover of the board. Nor of her membership in the Green Party. A spokesman for the Greens in San Diego said not all Greens are liberals and about 20 percent of the party membership once followed the Republican banner. Carr herself said she is conservative on some issues, liberal on others, and her only real concern is the children of her community.

Nobody asked John Doolittle department. Dan Quayle (yes, the same) recently sent a sweet letter to Patricia Malberg of Lincoln, informing her that she had been accepted for membership in the Republican Senatorial Inner Circle. She had been nominated, Quayle wrote, by California's junior senator, John Seymour. The vice president invited Malberg to the Circle's Washington spring briefing in March, highlighted by a presidential address. He hoped that she would join former Secretary of State George Schultz, Wal-Mart gazillionaire Sam Walton and actor Arnold Schwarzenegger as a member of the Circle (and, one presumes, give a small donation to the cause). The president, Quayle insisted, looked forward to seeing her. Well, we can think of one Republican who might be a tad grumpy if Malberg actually shows up in Washington: 1st District Congressman John Doolittle of Auburn. You see, Malberg is a Democrat. Not only is she a Democrat, but she was Doolittle's 1990 opponent and ran a tough congressional race against him. Two years before, she conducted an equally tough race against Doolittle's Republican predecessor, former Congressman Norm Shumway, and her tenacity is often cited as contributing to Shumway's decision not to seek reelection in 1990. Hey, John Seymour can pick 'em.

Typographical error? Some sharp-eyed readers wondered whether our Up Front item last month, dealing with Governor Pete Wilson's "now-they're-allegorical, now-they're-real" characters in his state-of-the-state address, was a Freudian slip. Seems we wrote, "coming on the heals of Wilson's proposed welfare cuts, the notion Wilson made up the characters reinforced the Democrats' contention that Wilson ... is concerned more with the plight of the wealthy than of the average citizen." Advocates for the poor probably wish we were right — that welfare cuts were healed. Unfortunately, we meant "heels."

Richard Katz introduced a bill recently in the Assembly (AB 2438) meant to put an end to unsolicited junk fax advertisements. Katz, a Los Angeles Democrat, announced his bill to the press by sending out faxes. We received one, as did a local newspaper down in Simi Valley. Stephen Frank, president of a Simi Valley public-relations firm, wanted to make sure we knew about this tidbit of political irony, so he faxed us a copy.

It's baaaack. After a 10-year hiatus, the Sacramento Press Club is reviving "Capitol Punishments," a spoofy, all-in-fun look at doings under the Dome. The event, meant to raise money for the club's scholarship fund, is set for April 1st at the restored Crest Theater in downtown Sacramento, one block from the Capitol. Cost: $25 per ticket.

Econ 101 lesson for Jim Harrick, head basketball coach at UCLA: The state of California currently is experiencing another huge budget deficit. Education, at all levels, is suffering. The UC system draws a huge chunk of its money from the state. Student fees and tuition is rising at your university and at every other campus in the system. If you do not think $391,000 a year in compensation is enough to coach basketball at UCLA, go somewhere else.

New to our staff with this issue of the *California Journal* is Associate Editor Danielle Starkey. A California native, she received her undergraduate degree in English from the University of California at Berkeley and a Masters' degree in journalism from Northwestern University. She has worked as a reporter for the *Sacramento Union*, the Sacramento *Business Journal*, the Vallejo *Times Herald* and last year attended Oxford University on a Rotary International Fellowship.

Departing temporarily from our parent company, Information for Public Affairs, purveyors of the electronic bill-tracking service StateNet, is company vice president William Hauck. The company signed a contract with Governor Pete Wilson that results in Hauck becoming one of Wilson's top advisors. Hauck has no direct control over editorial activities of the *Journal*.

"Man's capacity for justice makes democracy possible; but man's inclination to injustice makes democracy necessary."

— Reinhold Niebuhr

Come across a blurb lately that's nosy, newsy or smartalecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

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ROSTRUM

Pete Wilson

Your retrospective on Governor Pete Wilson's first year (see *CJ*, December 1991) was off the mark on the issue of the AB 101 veto. According to the article, the veto was predicated on the assumptions that "additional protections would place an undue burden on the business community" and that "the governor failed to get this message out to the gay community."

Nonsense. Wilson's message failed to get across only because it was a calculated lie. The California business community was generally neutral on AB 101, the Republican governor of Massachusetts attested to the success of a similar measure in that state, and the experience in Wisconsin showed that the anti-discrimination procedures embodied in AB 101 would have produced an efficient and less-costly alternative to legal action in the courts.

ANTHONY BARCELLOS
Davis

Initiatives

Your January 1992 "Up Front" section incorrectly identifies the June 1964 election as the last time in which no initiative appeared on an election ballot. Actually, initiatives were not allowed on primary election ballots in California until 1970, and even then the practice was probably due to administrative error rather than to any valid legal or constitutional grounds. No provision of the California Constitution or the Elections Code specifically permits initiative measures to appear on primary election ballots. In fact, the Constitution clearly specifies that an initiative is to appear "at the next *general election* ..." They started to appear on primary ballots after the Elections Code was amended to allow legislative bond measures in primary elections. At that time, one initiative — Proposition 8 — was "piggybacked" onto the ballot with bond measures, with the practice continuing unabated thereafter.

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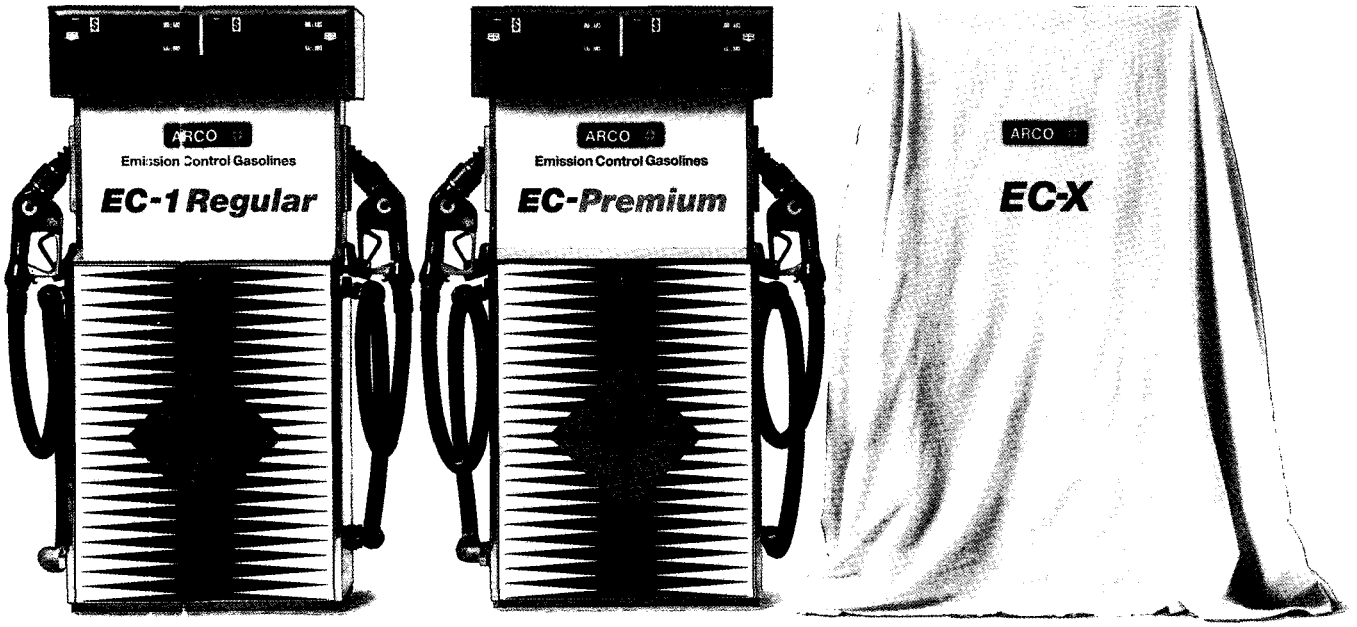

Last November 22, the California Air Resources Board took a powerful stand against vehicular pollution.

The Board established reformulated gasoline standards that now lead the world in the fight for clean air.

California's leadership against pollution was given major impetus three years ago, when ARCO initiated a business and government partnership with the South Coast Air Quality Management District. It resulted in the world's first emission control gasoline, EC-1. And later, EC-Premium. Since their introduction, vehicular pollution in Southern California has been reduced by over two hundred million pounds.

Then last year, in partnership with California's Air Resources Board, ARCO developed EC-X. As the latest advance in emission control formulas, EC-X gave the Board an example for its strict, reformulated gasoline standards.

When the standards take effect in 1996, all Californians can use clean burning, reformulated gasolines that will reduce vehicular pollution by 3.8 million pounds a day, compared to current emissions.

Those new gasolines — California's fuels of the future — will help achieve clean air more quickly, more practically, at less cost than methanol or other alternative fuels yet considered. Strong reasons why the Board's standards have the support of environmental groups and air quality management agencies.

At ARCO, we are proud of our EC-X clean fuel for the future. And of the partnership that is leading the world in clean air solutions.

ARCO
CLEAN FUELS FOR THE FUTURE.

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Feinstein

THE FRONT-RUNNER

Can Feinstein capitalize on her 1990 campaign?

By James Richardson

In the winter of 1990, Democrat Dianne Feinstein was out of one office and in search of another. The ex-mayor of San Francisco took up part-time residence in the foreign territory of Los Angeles and plied the freeways in her Jeep station wagon looking for campaign dollars and votes to become California's governor.

Two years later, Feinstein is again living part-time in Los Angeles and plying the freeways in search of dollars and votes. But two things have changed: She is driving a Buick instead of the Jeep, and this time Feinstein wants to go to Washington, D.C., as one of California's United States senators.

For Feinstein, it has been one long — almost endless — campaign since 1990. "I've been on the trail a long time now," she said recently. "I think I have the state in my blood."

In 1992 she has set her sights on the seat now held by Republican John Seymour, who was appointed by Republican Governor Pete Wilson to fill the remaining two years of Wilson's Senate term after he was elected governor. Should she beat Seymour, Feinstein would then have to run again in 1994 to keep the Senate seat for a full six-year term.

However, before Feinstein can get that far, she must get past state Controller Gray Davis in a Democratic primary. It is a battle she and a number of Democratic leaders were hoping to avoid.

"She has more to worry about with Gray in the primary than Seymour in the general," observed veteran Democratic political consultant David Townsend, who is not working for any statewide candidates this year. "Whomever emerges out that primary will kick Seymour's campaign from here to China," he said.

Feinstein enters the Senate primary with a number of advantages. She has more name identification and more polish than in 1990 when she battled then-Attorney General John Van de Kamp in a Democratic gubernatorial primary only to lose to Wilson in November. She built up a considerable following in that race that largely remains. In the closing days of her campaign against Wilson she showed herself to be a spirited campaigner and might have won had she found her legs sooner. Indeed, as Wilson sinks in popularity polls, Feinstein may well look better to voters, although she may have done no better than Wilson in struggling with the state's monumental budgetary morass and divided and recalcitrant Legislature.

But as Feinstein runs for the U.S. Senate, she continues to have some of the same

Continued on page 122

James Richardson is a Capitol correspondent for The Sacramento Bee.

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THE UNDERDOG

Is Gray Davis the spoiler of 1992?

By A.G. Block

Davis

That Gray Davis would seek a U.S. Senate seat in 1992 was as inevitable as reveille at sunrise. The prize was too tempting, the landscape too abundant with opportunity and potential glory: For the first time in state history, both of California's United States Senate seats were on the ballot at the same time, and both were without an elected incumbent in the race. Even more, the political risk to Davis was minimal; he staked little but money. A constitutional officer, he was midway through his second term as state controller; he had a free ride. He could lose a Senate election and still be employed, still be in office, still be poised for re-election, or for some other challenge in 1994.

Given the way events unfolded, Gray Davis couldn't *not* run. Throughout his elective career, which now spans a decade, the 49-year-old Southern California Democrat has been nothing if not ambitious. He even looks hungry: Lean, gaunt, with pale skin and a shock of gray hair, Davis' physical imagery is of a finely-tuned, high-strung political animal. Rarely has he been able to sit still, to just serve. Although cautious as a risk-taker, there has been for Davis a near-compulsion to climb, to occupy the bigger, loftier ridge. Elected to the Assembly in 1982, he stayed out two terms. Elected to his current statewide office in 1986, he toyed with abandoning it after one term to run for governor but settled for re-election when the 1990 gubernatorial race grew too cluttered and the risk too great.

So, when 1992 offered one of the biggest political summits of all — a shot at the U.S. Senate — nothing could hold back Gray Davis. In a political world populated with those hungry for advancement, Gray Davis still manages to look ravenous.

Along the way, Davis also has carved out a political career studded with achievement. He has enhanced California's environment, pioneering legal settlements with corporations like Unocal and Bank of America that netted the state thousands of acres of wildlife preserves, wetlands, timberlands and riparian habitats. Among other things, he has sued oil companies to prevent drilling off the Santa Barbara coast; opposed former Governor George Deukmejian's attempt to gut the family planning budget in 1989; sued San Francisco's Pacific Union Club to force it to admit women or lose its tax privileges; won plaudits for defying Deukmejian's attempt to slash $500 million in cost-of-living increases from the education budget and issuing the checks anyway; clashed with Governor Pete Wilson over attempts to cut benefits for state workers. He also has riled members of the Legislature by refusing to issue their paychecks when the state budget was more than a month overdue.

But despite Davis' record as a public official, much of his achievement has been

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overshadowed by his tendency toward shameless self-promotion (see "The paradox of Gray Davis, *CJ*, January 1989). Although he can be personally charming, his chest-thumping can crystalize into a hard arrogance, as when he recently told reporters during an economic discussion, "If you don't think [his view of the world] is the truth, we're seeing a different reality." It seems at times that Davis can't help himself. During his recent state tour to officially announce his candidacy, Davis went on at some length about his qualifications for the Senate:

"I'm the only person in this race ever elected statewide."

"I got more votes than any other candidate in the country in 1990."

"I'm the only one qualified to help shape fundamental priorities for the country."

As a result, what one often hears when Davis recounts his achievements is not the message but the strident voice of the messenger.

The political bounty that was to become 1992 began to take shape in November 1990 when California's then-junior United States senator — Republican Pete Wilson — was elected governor. Wilson resigned from the Senate and, on January 2, 1991, appointed in his stead moderate Republican John Seymour, a little-known state senator from Anaheim. Although four years remained in Wilson's term, federal law required Seymour to run for the seat in 1992, the next available election. The winner in 1992 will serve only until 1994, when Wilson's original term is due to expire and when the incumbent will have to run again for a full six years. Thus, in the lingo that grew up around the 1992 elections, the Wilson-Seymour seat became known as the "short seat."

In addition, another slot was made available in 1992, a six-year "long seat" now held by California's senior U.S. senator, Democrat Alan Cranston. Cranston was up for re-election for a full term, but the 77-year-old lawmaker — under an ethics cloud because of his involvement with convicted savings-and-loan mogul Charles Keating and suffering as well from prostate cancer — decided to retire.

Two U.S. Senate seats.

The possibilities afforded by 1992 must have appeared staggering to a politician as full of fire and as doggedly dedicated to his own advancement as Gray Davis, and he wasted little time debating whether or not to take the plunge. He began trumpeting his Senate candidacy only a two months after taking the oath of office for his second term as controller, saying at the time that he would announce for a specific seat at a later date.

One might think that a candidate troubling himself enough to mount a serious challenge for the U.S. Senate would go for "the long seat" and thus assure himself six years of uninterrupted tenure. Unfortunately for Davis, Cranston's political demise did not go unnoticed by his fellow Democrats. Even before Cranston officially bowed out, some of Davis' friends and allies expressed interest in the job: Lieutenant Governor Leo McCarthy of San Francisco, and House members Barbara Boxer of Marin County and Mel Levine of Los Angeles. But it was Levine's interest that essentially narrowed Davis' choice to the "short seat" or nothing.

"Had I decided to run for the Cranston seat," explained Davis, "I would have had to find another campaign consultant." Davis and Levine both are under the umbrella of BAD Campaigns, the Los Angeles-based consulting firm run by Michael Berman and Carl D'Agostino. Finding a new consultant, said Davis, would have been akin to finding a new right arm because Berman and D'Agostino have managed every Davis race. "No one except my wife is as important to me," he said. "There's a lot of trust, a lot of time spent with them. You don't have to explain everything to them, and they understand your limitations as a candidate."

Davis also said he decided not to run for the Cranston seat because of his personal relationships with Levine, with whom he shares a fund-raising base in the affluent Westside of Los Angeles; and with McCarthy, a fellow constitutional officer who is a close ally on the State Lands Commission. Boxer, he said, was "a fighter." Thus the risks in running for the "long seat" — finding a new campaign consultant, taking on three formidable opponents — were out beyond Gray Davis' frontier.

But not so the "short seat." In May 1991 Davis said he would run for it, formally announcing his candidacy nine months later. His decision, while pleasing to Levine *et al.*, fell like lead on the campaign of another Democratic Senate hopeful — Dianne Feinstein, the former mayor of San Francisco and 1990 Democratic gubernatorial nominee who barely lost the governor's race to Pete Wilson. Feinstein announced for the "short seat" only weeks after Seymour's appointment was made public in January 1991. By announcing early, Feinstein, still flush with the glow from her strong race for governor, hoped to propel herself so far up the slope that no other Democrat would dare challenge her, let alone overtake her (see accompanying story). She was aided by polls which consistently showed her miles ahead of any potential Democratic rival (20 points up on Davis).

Davis, however, has this fire. Precluded by circumstance from running for the Cranston seat, only one avenue remained to him if he was to have a piece of the action. In terms of dampening his fire, Feinstein's imposing political stature — her popularity among Democrats, her lead in the polls, her feisty style honed in the waning days of the gubernatorial campaign, her wealth, her gender — was a snowflake. Davis probably was laced into his running shoes before he ever gave a thought to Dianne Feinstein. His entire career has been guided by, built on and anchored to opportunism. And 1992 offered the biggest opportunity to come Gray Davis' way, ever — the chance to soar above the obscurity of California state controller, to become a national political powerhouse, to live at the center-of-it-all, to arrive in political glitz central, to be one with the United States Senate. And to risk virtually nothing to get there.

Gray Davis couldn't *not* run.

Joseph Graham Davis III was born in the Bronx on the day after Christmas 1942, the son of a wealthy advertising executive. He grew up in comfort in the Brentwood section of Los Angeles, attended the Harvard School in North Hollywood, and went on to earn a bachelor's degree from Stanford and a law degree from Columbia. He did a tour of duty as a Signal Corps officer in Vietnam, where he was awarded the Bronze Star (for meritorious service, not for heroism under fire). He practiced law, briefly, at a large Los Angeles firm before turning to the political life. His political initiation came in back-to-back campaigns: as a volunteer in Democrat John Tunney's successful 1972 race for the U.S. Senate and as a paid finance chairman for Tom Bradley's victorious race for mayor of Los Angeles a year later. Buoyed by those success stories, and by his efforts on behalf of those campaigns, Davis decided to run for office

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himself. Not as a city councilman or member of the Legislature, mind you, but near the top: In his first attempt at elective office, Gray Davis ran for statewide office. He was a 31-year-old nobody, a zero who had paid his dues to date in pennies. Ronald Reagan's toenail raised bigger blips on political radar than did Gray Davis' entire persona.

But the year was 1974 and there was, you see, an opportunity. The landscape was awash in opportunity: open seats for governor, lieutenant governor, controller and secretary of state. Figuring that big-name Democrats would scramble for the open jobs, Davis filed to run for state treasurer against GOP incumbent Ivy Baker Priest, who planned to seek re-election. He thought he would have the primary to himself and had calculated that he could "ride into office" on the anti-Watergate vote.

Davis' plan might have worked had not Priest bowed out at the last minute due to illness. And with a suddenly open race looming, a big-name hoisted himself into the primary. Jesse Marvin Unruh — former speaker of the Assembly, former gubernatorial candidate, heavyweight Democrat — stomped all over puny Gray Davis and taught the young tyro to take nothing for granted.

But the '74 campaign brought Davis into contact with another Democrat who would give him a huge boost along the way to political prominence — Edmund G. Brown Jr., about to get himself elected governor. An empathy developed between these two young, ambitious men, and Brown eventually hired Davis to work in his campaign. After becoming governor, Brown named Davis his chief of staff ... which put Davis in a position to run for the Assembly ... which put Davis in position to run for controller ... which put Davis in position to run for the Senate.

Clearly, Dianne Feinstein provides Davis with his greatest electoral challenge (not counting Unruh, who swatted him aside effortlessly). He considers her a tough opponent but believes he can beat her with an aggressive campaign geared to convince Democrats that not only is he better qualified than Feinstein to serve in the Senate but that he has a better chance than she of knocking off Seymour. The former claim is subjective, of course, but the latter has some grounding in fact. A mid-January 1992 *California Poll* conducted by the Field Institute showed that while Feinstein maintained a commanding lead over Davis among Democrats (58 percent to 33 percent), Davis actually enjoyed a bigger lead over Seymour than did Feinstein (14 percent to 12 percent).

Davis said his campaign will be based on economic issues, and he has challenged his opponent to a series of debates. On one issue, especially, he draws a sharp distinction between himself and the former San Francisco mayor: granting line-item veto power over the federal budget to the president similar to the power California's governor holds over the state budget. Feinstein supports what has traditionally been a Republican notion; Davis opposes it.

"[The line-item veto] shows that I'm the best Democrat in this race," Davis said. "Democrats understand that it's difficult enough to advance good public policy with a Republican administration, and if you abandon the opportunity to link your idea to something the president wants, it will be virtually impossible. If Democrats think they have problems now with a Republican president, it's Katy-bar-the-door if the line-item veto is ever adopted."

Davis also touts his record on the environment and on women's issues as better than Feinstein's. "She vetoed a comparable-worth ordinance in 1984 that had been passed by the San Francisco Board of Supervisors," Davis charged, while promoting his own pro-choice record and his support for family planning and comparable worth. He also called attention to Feinstein's veto of a resolution noting the 10th anniversary of the *Roe v. Wade* decision.

Davis' campaign has churned out a multi-faceted economic platform that calls for, among other things, bolstering the manufacturing sector with better tax rates; tax incentives for exporters; a federal tax-amnesty program; a $1500 tax credit for each job created in 1992; and tax credits for retraining workers hit by defense cuts. He also would like to see the state's sprawling aerospace industry change direction away from military production and toward civilian durables like bullet trains and electric cars. Davis said he is especially worried that America will become a service economy rather than a manufacturing economy. Such a change will severely impact the average American's standard of living and the United States' stature around the world, Davis believes. He said his program is meant to revitalize the manufacturing sector, and he challenged Feinstein to come up with alternatives.

But the best economic program in the galaxy won't do Davis much good if no one hears about it. To promote his message, and to chop away at Feinstein's lead in the polls, the controller needs to raise and spend money. And Gray Davis is a master money-raiser. To date, he has some $1.7 million in the bank, much of it transferred from his controller's war chest, but he insists that twice that much will be necessary to defeat Feinstein in the primary — with another $6 million to $7 million needed to wage a successful campaign against the Republican nominee come November.

If history is any proof, he'll have the money.

But Davis needs to spend that money wisely. Despite two successful statewide races, despite receiving more votes than any other statewide candidate in the country in 1990, Davis' name identification among California voters has hovered around 60 percent for over a year — substantially below Feinstein's nearly 90 percent. Come May, he'll have the advantage of being on BAD Campaign's slate cards, which endorse candidates and have been effective in the past.

But slate cards alone won't turn the tide. Thus, does Davis shell out money for television time early in the campaign, as Feinstein did in her 1990 gubernatorial quest, in order to raise his profile? Or does he hoard his money and blast Feinstein off the airwaves in the two or three weeks immediately preceding the June vote? Berman and D'Agostino have tended toward the latter strategy, but this time — and against this candidate — it may not work. If Davis holds back until late in the race, Feinstein's lead may be unassailable. Davis himself isn't sure which path to take but said that he and his handlers would be reaching that decision soon.

In the meantime, the campaign — whatever its form and timing — already is slipping into the gutter. The Feinstein camp naturally was grumpy when Davis entered the race, believing their strong showing against Wilson had earned them an opposition-free primary. But Davis' presence denied Feinstein a cake-walk primary that would allow her to concentrate on Seymour. Instead, with Davis in, she must spend most of her energy, not to mention considerable resources, fighting for the nomination. As a result, the Feinstein

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campaign has been pooh-poohing Davis' candidacy, saying he has no chance to win and characterizing him as a "spoiler."

Feinstein herself has remained quietly in the background, preferring to have her campaign manager, Kam Kuwata, take the public pot-shots at Davis. But Kuwata's tag of Davis as a spoiler must evoke some uncomfortable memories for Feinstein and her advisers, for it was less than three years ago that the same label was applied to Feinstein as she took on former Attorney General John Van de Kamp for the Democratic nomination for governor. Feinstein trailed Van de Kamp badly in early polls only to ambush him on primary day.

Kuwata, who once worked for Davis, has been everywhere with comments meant to discourage Davis and to warn off other Democrats who might support him. In November 1991 he told the *Los Angeles Times* that Davis really wants to be governor, not senator. In January 1992, he complained, again to the *Times*, that Davis couldn't win the primary and that his candidacy did nothing except help Republicans. And in February, Kuwata told the *San Francisco Chronicle* that Davis was the "minister of disinformation." He then repeated a charge leveled last May that Davis, as controller, bore substantial responsibility for the state's budget deficit.

"Here is somebody who just ran for state controller, boasted that he was the state's chief fiscal officer," Kuwata told *The Sacramento Bee* last May. "He's been campaigning nonstop and the state has a $14 billion budget deficit. Maybe he should fulfill his promises to the people ... and take care of this budget mess instead of going on the fund-raising trail."

And in February, Kuwata told the *Chronicle*: "It strains credibility when someone who is a financial officer and hasn't performed very well criticizes someone else."

Davis flatly refuses to respond to Kuwata. "When Feinstein says something, then I'll respond," he said, adding that if Kuwata's view reflects that of Feinstein — especially that as controller he is responsible for the budget morass — then "she doesn't know anything about state government and is flat out not qualified to serve in office."

Feinstein's campaign professes not to be worried about Davis' ability to defeat Feinstein come June. They only grump about what his candidacy is costing her in resources. But Kuwata's snipings have been loud enough, and frequent enough, to betray an undercurrent of uneasiness.

"It's Kuwata's job to respond," said one political consultant, who asked not to be identified. "But if it was me, and I really wasn't worried, I'd be ignoring him [Davis]. You know the old saying, 'He that protesteth too much ...'"

In some ways, Gray Davis can't lose in 1992. If he defeats Feinstein, he's well on his way to the U.S. Senate. If he loses to her, he's still in office. In the meantime, a solid campaign raises his political profile and, if he comes close to knocking her off, provides him with credibility and momentum heading into 1994. There is, after all, another gubernatorial race looming down the road.

And win or lose, Davis plans another first in 1992; after the election, he and his wife of nine years, Sharon, plan to start a family. And when Davis talks about *these* plans, a large grin creases his face. A sense of humanity not often associated with this hungry man-on-the-make seeps through the political facade. Gray Davis, at age 50, plans to be a father, and for a moment — for a brief but revealing moment — he looks as though the idea of a tiny new life joining with his is more enchanting than any political victory.

Feinstein

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weaknesses she had in 1990. She ran weakly in the voter-rich Central Valley and in Orange, San Diego, Riverside and San Bernardino counties in 1990 largely because she was seen as a liberal woman from San Francisco. She is still seen that way in large expanses of the state. She still must defend her record as mayor of San Francisco — the good, the bad and the red-inked budget. While she has hardened as a campaigner, so has the perception of her by the voters.

Nonetheless, Feinstein's personal and political history is marked by an ability to make mistakes and then learn from those mistakes. In her first campaign for mayor, Feinstein assumed she would face George Moscone in a run-off. She did not make it out of the primary. Consultant Townsend said he has always advised his clients not to "do a Feinstein" — as in, don't flub the primary.

Feinstein demonstrated in 1990 that the lesson was not lost on her by her victory over Van de Kamp in the Democratic gubernatorial primary, which was, in reality, the pinnacle of her political success. Some political observers, including Townsend, question whether she remembers those lessons and is taking Davis seriously.

For the most part, Feinstein has ignored the state controller, who has a reputation for slash-and-burn politics. Nonetheless, Feinstein suggests she will not ignore his attacks when they come. "It's going to happen as we move along," she told reporters in January at a campaign stop. "I know you guys all want a fight, but you always get one sooner or later. You just have to wait."

Her campaign manager, Kam Kuwata, said Feinstein will remind voters that Davis was the state's "chief financial officer" at a time when the state had a projected $14 billion deficit — glossing over the fact that the controller has virtually no power over the shape of the state budget. If it comes down to it, Feinstein and Davis will fight a very dirty campaign.

But has she learned from her mistakes from her loss to Pete Wilson in the 1990 general election?

Following her victory over Van de Kamp, Feinstein's campaign meandered. Wilson's camp managed to quickly define her as the issue. Her efforts at turning the tables appeared lame, as when she stretched all available evidence in trying to tie Wilson to the national savings-and-loan scandal with letters he had written to federal regulators.

The 1990 Feinstein campaign was often faulted for what seemed to be an intellectual laziness on issues. She frequently winged it with broad statements of principles when asked about specific state issues.

The Feinstein of 1992 appears at pains to display her knowledge of federal issues. She sprinkles her speeches with references to specific bills and amendments in Congress and Seymour's voting record. She mentions the committee assignment she wants (Energy). The broad rhetorical strokes are still there — as with her call for a loosely defined post-Cold War industrial policy that is much in vogue with Democrats — but she also speaks with a sharper edge.

Kawata maintains that Feinstein has an additional advantage over 1990. This time, she is not running against Wilson. Neither her primary opponent nor her potential Republican opponents are as well known as Wilson and, so far, have not

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shown as much talent in raising campaign money.

After her loss for governor in November 1990, Feinstein dropped from the public eye. But while she may have been out of office, her schedule hardly reflected it. In May 1991 she attended a private dinner with former Soviet Foreign Minister Eduard Shevardnadze at the Tiburon home of Duane Garrett, a lawyer who serves as her gubernatorial campaign finance chairman. In the summer she and investor- husband Richard Blum traveled to China and Taiwan. In October they went to Israel. On both trips Feinstein and Blum met government officials and were treated as visiting dignitaries, not tourists. In the fall, Feinstein began traveling around California again with trips to Bakersfield, Eureka and Southern California.

To run for the Senate, Feinstein has assembled much the same team she used to run for governor. Her principal campaign and media strategists remain Hank Morris and Bill Carrick. Garrett is again her finance chairman. She has added Kuwata to her senior staff. The affable Kuwata is a veteran of Alan Cranston's and Leo McCarthy's Senate campaigns. However, a few familiar faces are missing. Hadley Roff, her closest aide from her mayoral days, has returned to San Francisco City Hall as chief of staff to newly-elected Mayor Frank Jordan. And Feinstein's ever-able press secretary Dee Dee Meyers is now working for presidential candidate Bill Clinton.

Feinstein has said she learned a few things from the 1990 campaign. She said she spent too much time talking with campaign contributors and not enough time with voters. This time, Feinstein said, she will go to corners of the state where she rarely ventured in 1990, like the far north, San Diego and the Central Valley. Nor is she conceding Orange County and the inland desert counties.

"I want this to be a much more grass-roots campaign," she said. To do that, she has expanded her list of small contributors by about one-fourth. "In 1990 I didn't have the contacts that I have today. In the governor's race, I would call someone and I would get a secretary and I had to spell my name three times. I don't have that problem this time."

But money will remain a tether on all of the Senate candidates. It may not be an exaggeration to speculate that running for the Senate in California may prove more costly than running for president. In fact, at the end of 1991, the leading candidates for California's Senate seats had raised more campaign money individually than the leading candidates for president individually — including George Bush.

And in running against Davis, Feinstein faces a formidable fund-raiser with strong connections in West Los Angeles and Hollywood. At the end of 1991, Davis had more campaign money in the bank — $1.5 million — than Feinstein, who had $766,777. However, Davis inflated his figures by transferring $893,933 to his Senate campaign from his controller campaign fund. Feinstein also spent more in 1991 — $1.2 million to Davis' $300,000 — much of it on a telemarketing firm to expand her donor list.

Feinstein bailed her campaign out of a tight money corner in 1990 by borrowing $2.7 million from the Bank of America, Sumitomo Bank and Security Pacific Bank backed by her community property with Blum, an immensely successful San Francisco investment adviser. Her husband's deep pockets remain a threat in 1992 that cannot be discounted by any opponent, but she seems unwilling to bankroll her campaign again. Feinstein is still cleaning up after her 1990 finances, recently filing a lengthy set of amendments to her disclosure reports showing new details about the sources of $20 million in funds and expenses for her gubernatorial campaign. She also may run into trouble with the state Fair Political Practices Commission for not fully reporting the sources of campaign loans on her 1990 public disclosure statements.

She said in recent interviews that she and Blum decided to take a personal loss on $2.4 million in loans to the 1990 campaign, paying back what was owed to banks but not trying to collect repayment from campaign donors.

This year, Feinstein appears determined to keep from becoming the issue again. To that end, she has relentlessly hammered at Seymour by criticizing him for failing to reach agreement on a desert protection bill, for votes allegedly favoring big oil companies and for voting to confirm Clarence Thomas to the U.S. Supreme Court. Feinstein (like Barbara Boxer running for the other Senate seat) is not shying away from running as woman candidate. "One of the things people are realizing is there are only two women in the U.S. Senate," said Feinstein. "Yes, I am running as a woman. But my candidacy isn't based only on being a woman."

She declares that Seymour, who claims to be pro-choice on abortion, nonetheless cast his lot with those against abortion-rights forces by voting to confirm Thomas. "That guaranteed an overturn of *Roe vs. Wade*," she asserted.

Seymour may look weak in early 1992, but he still has the backing of Wilson's formidable campaign team. And Feinstein still must do better in the Central Valley and Orange, San Diego, San Bernardino and Riverside counties where she lost in 1990. Winning San Francisco, splitting Los Angeles and losing everywhere else is not enough to win an election. To win back so-called "Reagan Democrats" she is speaking loudly about economic issues and looking for ways to carve out the center on issues. She has embraced a line-item veto for the president, an idea nixed for decades by Democratic-controlled Congresses. A line-item veto, she maintains, is needed to impose discipline on politicians, including herself. "I'm sure I'll get there and I'll try to put something in the Christmas tree. Sure I would. But the president ought to have a line-item veto," she said in an interview.

Feinstein also favors a tax cut for middle-class taxpayers, tax and other incentives to develop alternative fuels, and a huge public investment in new transportation systems. Like other Democrats running for the Senate, Feinstein has attempted to couple reviving the economy with cleaning the environment by creating jobs to do both. "People are terribly concerned about their jobs right now," she said at the annual convention of the Planning and Conservation League in Sacramento, a leading environmental organization. "I think it's also only fair to say that if we are going to make environmental gains, they can only be with the consideration of the economy."

As she travels around California, Feinstein's three years of campaigning have made her a master at the sound bite and a forceful speaker. "Right now the degree of fear is palpable," she said. "There's a belief nothing has been done about the economy. People are not going to vote for a Pete Wilson or George Bush clone."

That, in any case, is Feinstein's gamble in what is probably her last chance at winning statewide office.

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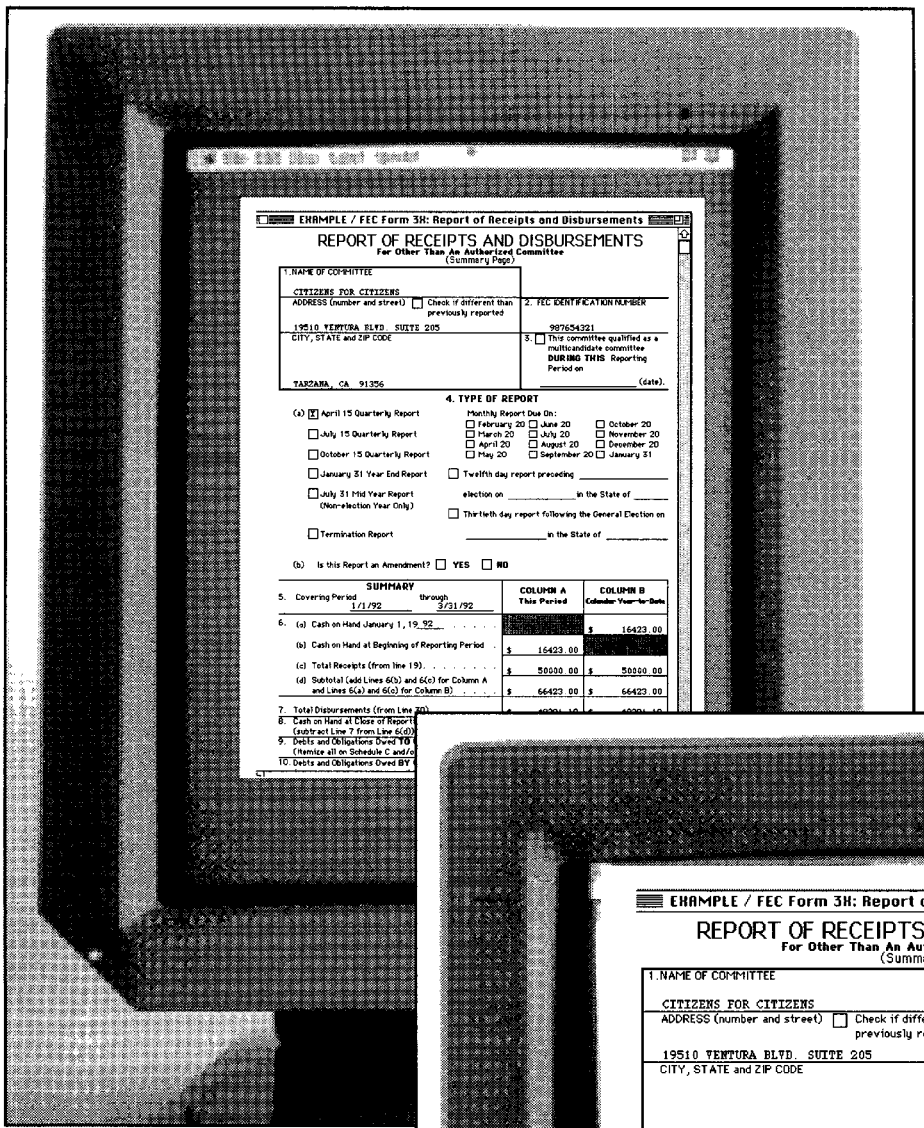
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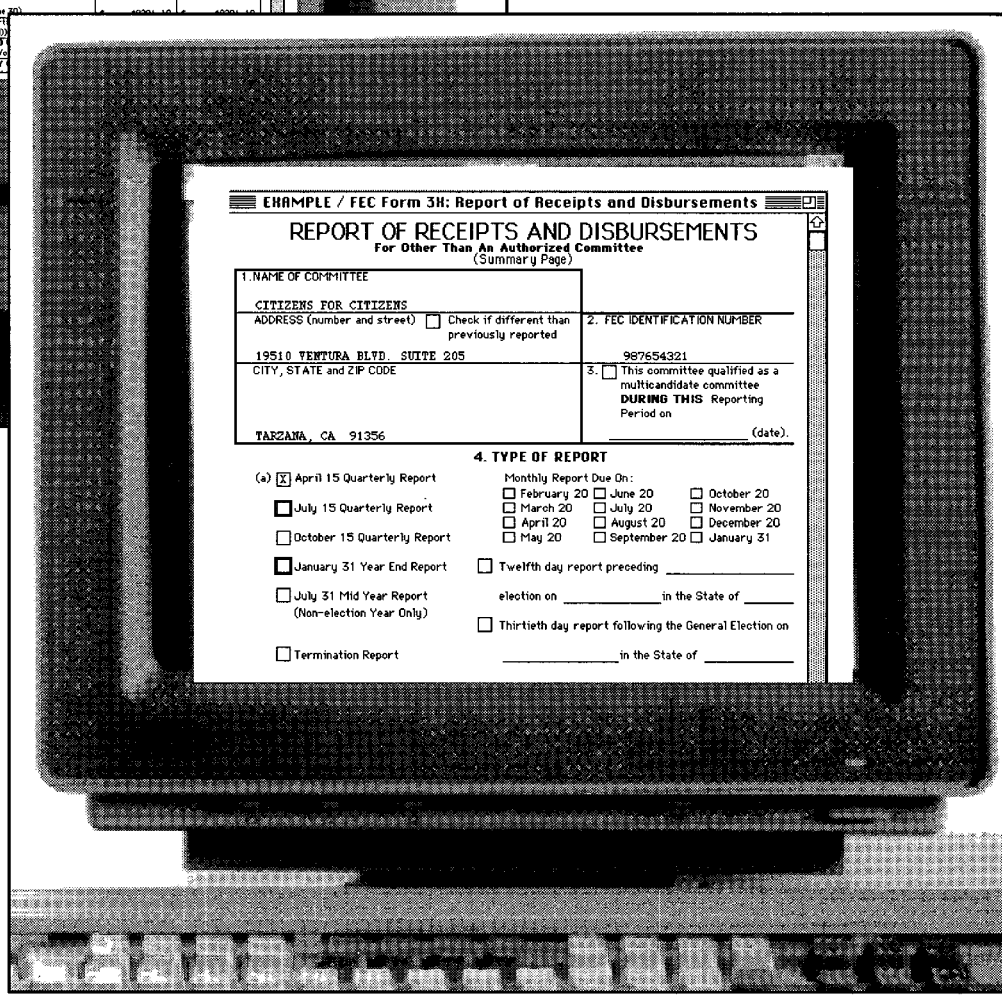
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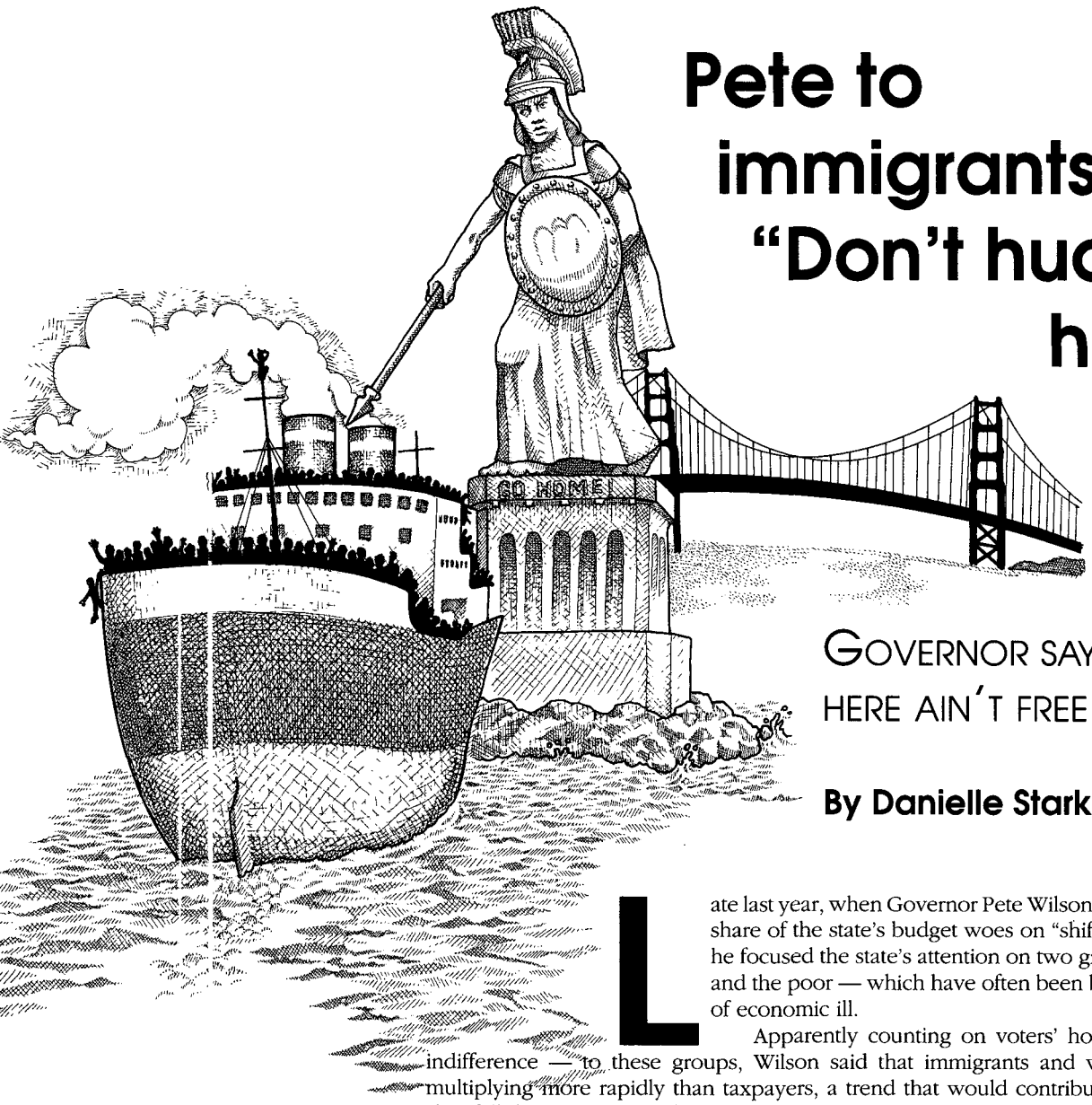

Pete to immigrants: "Don't huddle here."

GOVERNOR SAYS BREATHING HERE AIN'T FREE

By Danielle Starkey

Late last year, when Governor Pete Wilson blamed a significant share of the state's budget woes on "shifting demographics," he focused the state's attention on two groups — immigrants and the poor — which have often been blamed during times of economic ill.

Apparently counting on voters' hostility — or at least indifference — to these groups, Wilson said that immigrants and welfare mothers are multiplying more rapidly than taxpayers, a trend that would contribute to a state budget shortfall that might reach $20 billion by the year 2000 if the situation is not corrected. The message was clear: If the costs of tending to the poor and the newly-arrived aren't brought down, the rest of us are going to suffer.

Using the tough language of an election-year reformer, the governor said he would remove some of the incentive for newcomers to migrate by proposing a constitutional amendment that would reduce California's attraction as a "welfare magnet," as well as wean welfare recipients from their welfare dependency. Among his proposals were to cut welfare benefits, now $663 for a family of three (fourth highest in the nation, and $86 per month more than what New York pays) by up to 25 percent and to impose a "pay freeze" on newcomers so that for one year, their welfare payments could not exceed the amount they would have received had they not moved to California.

Wilson maintains that the financial consequences of the population changes are real, and that we should not shy away from dealing with them even though it may mean hardship for some of the most defenseless in our society. The welfare of the hard-working middle class is also at stake.

In his state-of-the-state address, Wilson asserted that "spending reform and welfare reform are one and the same."

"Runaway spending is unfair to California taxpayers. And it's not fair to job-seekers, or to the working men and women of California — the breadwinners," Wilson said.

That it also happens to make good election-year politics for a governor frantically trying to backfill a budget deficit that might exceed $5 billion this year even after raising taxes some $8 billion last year — well, that's merely a nice coincidence.

"There are some real changes in the state's demography, and there isn't enough money

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to be as generous as we have been in the past, specifically in our welfare payments," insists Wilson Press Secretary Bill Livingstone.

Wilson's critics roared their disapproval, accusing him of looking for scapegoats for California's recession-mired economy. By raising a divisive and racially charged issue, they said, the governor was camouflaging his true aim of gaining greater budgetary powers for himself, since those measures are incongruously included in his welfare reform package that he is trying to qualify for the November ballot.

In any case, they said, it is not the immigrants nor the poor that are the enemy of a balanced budget but rather the policies of successive Republican administrations and initiative measures that have eroded the state's tax sources.

There is substantial evidence for this. For all Wilson's rhetoric, the Aid to Families with Dependent Children program (AFDC), the state's basic welfare effort, is expected to cost the state's general fund only $2.8 billion this year — 6.4 percent of a $43.7 billion budget. The rising costs of welfare are small compared to the rising costs of education, health care or operating the state's prisons. Indeed, if Wilson wins passage of his welfare cuts, during the next fiscal year Californians will spend more on prisons than they do on welfare. Still, Wilson's pitch has struck a resounding chord at a time when people are worried about getting their share of what is often perceived as a shrinking pie.

What are the economic impacts of having hundreds of thousands of immigrants move to California each year?

In a November report, "California's Growing Taxpayer Squeeze," the state Department of Finance pointed to recent census figures which project that California, with a population of 29.7 million, will become home to an additional 6.3 million in the next 10 years, 44 percent of them foreign immigrants. In addition, the report said, about 75 percent of California's migrants in the 1980s were foreign born.

"For the vast majority of these new residents, English is a second language. Lack of English language skills places extra demands on the school systems and also limits employment opportunities for adult immigrants," the report said.

The report also said that in 1980, there were 6.9 taxpayers for every welfare recipient, a number projected to drop to 2.94 taxpayers per welfare recipient by the year 2000.

Are the finance report and the governor's gloomy forecasts about the burgeoning welfare caseload more than an election-year gimmick? Are recent foreign immigrants, who have been moving to California at a rate of about 285,000 per year, chomping their way through public-assistance programs? Or are immigrants an economic and cultural asset to California, that keeps U.S. businesses competitive and contribute more in taxes than they use in public services (like welfare) that they are too frightened, ignorant, unwilling or ineligible to use?

This cost-benefit computation is fraught with difficulties. For one thing, it depends foremost on a reasonably accurate count of immigrants, many of whom believe their lives depend on eluding notice. It also tosses into a heap a wildly diverse group, including refugees from Poland, Mexican agricultural workers intending to stay for one season and Korean professionals holding advanced degrees, and calculates how they will act as a group — such as whether they will sign up for welfare, if eligible. It also must figure in how much in taxes the immigrants as a group pay, including payroll, social security and sales taxes, then contrast that with the types and amount of public services they use.

If immigrants keep prices down by accepting low-paying jobs, what effect does this have on the rest of the labor market? How much leverage do these low-paid workers give to U.S. companies to be competitive abroad, and to expand their domestic operations? How much foreign investment do immigrants attract, which in turn supports local business activities that translates into jobs?

Will California see the number of welfare cases jump in June of this year when immigrants recently legalized under the Immigration Reform and Control Act of 1986 (IRCA) are finally allowed to sign up for these programs without fear of being deported?

Beginning to sound like a daunting task? Some studies dispute the premise that immigrants are an economic burden; others say that it's impossible to calculate. But what economists, sociologists and others looking at the issue are finding runs counter to some persistent myths:

- Although communities with a high concentration of immigrants pay a disproportionate share of costs to educate and provide medical care for them, immigrants' overall tax payments — about two-thirds of which go to the federal government — far exceed the cost of what they use in public services.
- While not all foreign immigrants arrive in California without job skills, a significant portion take low-paying jobs that have helped keep U.S. businesses competitive; others have started their own businesses, some of which are successfully competing with international firms.
- Immigrants traditionally have not displaced domestic workers, and instead have competed for jobs with other, newer immigrants. But as the nation's labor market shifts from a manufacturing base to high-technology and service industries, that situation could change.

"Contrary to conventual wisdom, immigrants don't tend to be users of public services any more than the native population. In fact, immigrants tend to pay more in taxes than they use in social and public services," said Stephen Moore, an economist at the Washington, D.C.-based CATO Institute, a Libertarian think tank.

But about 65 percent of that money goes to the federal government, which has not been returning it to states with large immigrant populations at the rate promised under the 1986 Immigration Reform and Control Act, Moore said. Consequently, state and local governments absorb more than their share of costs.

"One perfect example is education," Moore said. "Immigrants, many of whom come here in their peak child-bearing years, put their children in the school system. Clearly, in many California towns, that gets to be very difficult." (In the past decade, the number of California schoolchildren with limited English has more than doubled to 986,000, or one in every five children.)

On the other hand, Moore noted, most of the people who move here came to work, and when they work, the majority pay social security and unemployment insurance, for example, usually without getting the benefits of these when they retire or get laid off. In effect, they are subsidizing the country's aging population, which is relying on a dwindling number of domestic workers to keep the social security system from going bankrupt.

"And the illegals, they're a great windfall because they use

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almost no public services," said Moore. "The last thing they want to do is go to the government and ask for services. They're too afraid of getting caught. They never collect a dime of social security, and you don't find too many collecting unemployment benefits, but those taxes are deducted from their paychecks." (By law, illegals are barred from receiving federal welfare, food stamps and unemployment.)

Before going further, it's important to note that "immigrants" generally are divided into four categories, and while all are eligible to receive emergency medical care and pregnancy services, not all can get financial assistance:

- Refugees. The majority of these are fleeing political persecution in their native country, and Congress and the president decide how many of them will be admitted to the United States each year. These individuals are eligible to receive all benefits.
- Legalized aliens. These are people who entered the United States illegally but have applied for temporary residence under the federal immigration-reform law. These individuals are prohibited from applying for financial assistance for five years. The penalty for doing so is deportation. However, if these legalized aliens have children while living in this country, their children are eligible for benefits. Approximately three million people applied for lawful resident status under IRCA, and about half of them have settled in California. Most are from Mexico, (74.7 percent); followed by Central America (9.4 percent) and the Caribbean (4.1 percent).
- Undocumented aliens. These are people who are living here illegally. No one knows how many there are, but the state estimates that 100,000 illegal immigrants move to California each year.
- Documented aliens. These are people who are admitted to the country under existing immigration laws and includes mostly individuals who are joining family members who are already citizens, who have special desired job skills, or significant amounts of money to invest here.

Of the nine million or so people in all four categories who have immigrated to the United States in the 1980s, about 2.3 million of them settled in Los Angeles County. While undocumented aliens represent only a part of the immigrant population, they have been the subject of a great deal of study by L.A. county officials.

An April 1991 report to L.A. supervisors by chief administrative officer Richard Dixon said, "At the local level, the costs of services provided to undocumented aliens (and their citizen children) continue to escalate and are not fully offset by local revenues received from them." (Estimated revenues from undocumented aliens in 1990-91 to county coffers was $137.6 million. At the same time, the county's estimated cost for that population was $413.8 million, a shortfall of $276.2 million.)

However, the report found, "Total revenues received by all levels of government from undocumented aliens greatly exceed their total cost to the county, but most revenues are received by the federal and state governments." (The county has estimated that 770,000 undocumented aliens were living in Los Angeles in 1990-91, and that they paid $2.96 billion in revenues.)

The report said that the cost of providing welfare aid to citizen children and, eventually, their families, "could easily reach $1 billion a year by the end of the decade, even if illegal immigration levels off... due to the high birth rate of the undocumented alien population who are disproportionately of child-bearing age" and because residents legalized under IRCA will be eligible for aid beginning in May, and they may be waiting in the wings to apply for it.

Tom Lee, a supervisor with the state Department of Social Services, says that these assumptions are "unfair" to the newly legalized population. "We're talking about people who have been underground for many years, working, and not taking advantage of services," he said.

Indeed, studies show that most of the newly legalized are working. For example, a 1989 survey prepared for the state Health and Welfare Agency by the Comprehensive Adult Student Assessment System found that three-quarters of the legalized aliens interviewed had been working full-time in the month before the interview, and an additional 10 percent said they had been working part-time.

Nevertheless, says the Wilson administration, the 1990 census and "current demographic trends," point to a 141 percent increase in the number of welfare cases in the 1990s. "To the extent the state is required to fund entitlement programs like welfare, it will crowd out spending on education, public safety and preventive programs," said Livingstone.

Others say the recession is to blame for a jump in welfare cases, and once it eases, the number will drop down.

"What [the Wilson administration] seems to be saying is that the AFDC caseload would grow as much as 9 percent a year over the next 10 years, when in fact, before the recession hit, AFDC was growing at about 2 percent to 4 percent a year," said Edward Lazere, a research analyst at the Washington, D.C.-based Center on Budget and Policy Priorities. "The main gripe we have is their claim that the recession has no effect on the welfare caseload. That's completely counter-intuitive."

In January, Russell Gould, secretary of the state Health and Welfare Agency, said that welfare advocates who "claim that the recession alone is to blame for the dramatic caseload increase in the past four years are not facing reality." As proof, he said, "From 1981-83, in the midst of a severe recession, the number of single-parent families on aid grew by only 2 percent. Conversely, the current trend of rapid increases in caseload began in 1988, and were well underway by 1989-90."

His analysis invites closer inspection.

Single-parent families are least likely to be affected by a recession because they probably weren't working in the first place because it's unlikely they could afford child care.

However, rises and falls in the AFDC "employed parent" category (two parents, both unemployed) would more likely reflect whether the recession has had an impact. And that is the category that grew faster than any other from 1989-90 to 1990-91, according to figures from Gould's own Department of Social Services.

In 1989-90 there were 75,579 cases in AFDC's two-parent category, a number that has been roughly constant (in the 70,000s) since 1983-84, at the tail end of the last recession, when the number was up to 83,055. In 1990-91 the AFDC category covering two-parent families jumped to 93,379, an increase of 24 percent, while the single-parent group went from 560,676 to 613,131, an increase of less than 10 percent.

To test the supposition that immigrants (through their U.S-born children) are responsible for much of the upswing in welfare cases, it might be useful to compare the rate of increase of child-only cases (which includes, but is not limited to the children of immigrants) with adult cases. Here too, however, caseloads grew roughly at the same rate until last year, the first

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year of the recession, when both shot up. For example, from 1986-89, the number of child-only cases actually dropped, from 92,170 to 89,367, while the number of adult-headed cases grew from 581,253 to 598,780. But both jumped when the recession began. The number of child-only cases went from 107,070 to 141,848 and adult cases went from 636,255 to 706,510.

Lee, with the state Department of Social Services, said it may be easier to evaluate potential costs of immigrants by looking at their use of health services, "because there's more of a life-or-death need for a doctor's treatment. "They would think, 'I can do with less food for a while, but if I don't get to a doctor, I might lose an arm or die.'"

In November, a state Department of Finance report did say that, "While immigrants and refugees accounted for only 1.3 percent of the Medi-Cal caseload in 1980, those groups accounted for over 4.5 percent of the program's beneficiaries in 1990."

When interviewed, however, the state demographer who helped prepare the report acknowledged that the percentage used in 1980 referred only to refugees, not to all immigrants. Adding other immigrants into the 1990 figure artificially inflates the rate of increase.

"Any medical care associated with that population would have been picked up by the county, at county hospitals," said Kathryn Perry, associate secretary for public affairs at the state Health and Welfare Agency. "County hospitals have always provided a safety net for the poor [and] there's not a word [in the law] that says you have to be a legal resident to get treatment."

Apart from the question of what immigrants take is the question of what they give back, culturally and economically.

"What we proudly call 'American' today is not the Puritan of the 18th Century," said Paula Fass, a history professor at UC Berkeley. "The need to confront heterogeneity on a daily basis is one of the glories of American culture."

That diversity is a plus in a world that's quickly heading toward global markets and global communities, she said.

And while the children of immigrants will be heavy users of education systems, they also should be considered an investment in the nation's future, said Paul Ong, a labor economist and UCLA professor in urban planning.

"This country has been having a hard time convincing our own students to go into very specialized fields, particularly fields that emphasize research. Clearly, to remain on the cutting edge of technology, we need people with those skills, and a good number of the people filling that demand are Asian immigrants," Ong said.

In addition, he said, Asian-owned businesses are the most dynamic sector of the state's economy. He said there was a 255 percent increase in the number of new Asian companies from 1977-87, compared with a 35 percent growth in firms for the state as a whole.

"These businesses create jobs," he said.

Do immigrants working for lower wages take jobs from natives? Not according to Robert Valdez, a UCLA professor of health policy and management and an analyst with the Rand Corporation who co-wrote in 1986 with Kevin McCarthy, "The Current and Future Effects of Mexican Immigration to California."

"Immigrants and the native-born population function in different labor markets," he said. "The groups most impacted by immigrants are other immigrants who have been here for some time, who are in low-paying, low-mobility jobs."

The availability of a large pool of low-wage, Mexican-born workers statewide and especially in Los Angeles no doubt contributed to slower wage growth. But this has helped the state's manufacturing sector to maintain a better competitive position with foreign producers, according to Valdez.

According to his study, "For example, wages increased more slowly in Los Angeles (where the majority of immigrants are concentrated) than statewide, and the slower wage growth tends to be more pronounced in industries that rely heavily on Mexican workers (apparel and furniture) than in those that use Mexican workers sparingly (transportation and printing)."

But his study also found that, "Overall, wage levels of all workers (about 70 percent of whom are Anglos) and of black workers in California and Los Angeles are substantially higher than those of their counterparts nationwide.

"Thus, even if the presence of a large pool of Mexican workers has slowed wage increases, it has certainly not erased the earnings advantage enjoyed by California's Anglo and black workers. However, the picture among the state's Latino workers is more mixed. Although Latino workers in California and Los Angeles are at rough earnings parity with Latino workers nationwide, their wages have been growing more slowly (and) any displacement effects appear to be concentrated in the Latino population itself."

With so many studies either disproving the assertion that immigrants are a net drain on the state's economy, Democrats, welfare and immigrants rights' groups are focusing on Wilson's possible political objectives. Leo McElroy, a veteran, Sacramento-based manager of initiative campaigns, said the Republican governor's sagging popularity in an election year and before a possible 1996 run at the presidency is relevant.

"If you had a fan club meeting for the governor right now, I suspect you could hold it in a phone booth. To blunt this unpopularity, it looks to me as if he's selected a popular target for people's hostility," said McElroy.

"Immigrants are definably other than 'us;' they're people trying to join us and become us. But in an economy where it's perceived that there may not be enough of the pie to go around," immigrants can easily become the scapegoat, McElroy said.

And by calling the initiative "welfare reform" instead of "government reorganization," McElroy said Wilson is like "the magician who makes a dramatic gesture in the air with his left hand while slipping a rabbit into his hat with his right. "This could actually prove to be a mobilizing force for a lot of people who otherwise may not have voted, and who will be driven by anger at the governor to go to the polls. If he brings to the polls a lot of people injured by this who choose to fight it, he's not going to like the results."

One welfare-rights advocate already has proposed making voter registration a prerequisite to receiving welfare, McElroy added.

The Wilson administration has shrugged off their complaints and said hard times are forcing painful cuts everywhere, and that without welfare reform, budget reform is impossible.

"When people can't challenge the initiative on its merits, they begin name-calling," said Livingstone. "You must address the programs that are on auto-pilot spending that are causing the budget to be out of balance."

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THE JOADS GO HOME

Has the Golden State lost its luster?

By James W. Sweeney

That may be more than rush-hour traffic jamming the freeways up and down California. People are heading for the border faster than ever before.

More people have moved out of Los Angeles County than moved in for each of the past five years. The people who moved out of Los Angeles in the last year alone outnumber the populations of 39 other California counties. Thousands more have packed up and left the high-cost housing and slow-paced traffic of the San Francisco Bay area.

And in those suburban communities that routinely become the landing place for many of the urban refugees, demographics experts say there is a new phenomenon: "The Mouse Race," a scaled-down version of the urban rat race that has long-time residents heading for even smaller towns and for other states.

"Their little piece of rural American has gotten overrun by automobile traffic, and they're moving someplace else," said Peter Morrison, a demographer at the Rand Corporation.

"The San Fernando Valley and Berkeley were suburbs 30 years ago," said Joel Kotkin of the Center for the Study of the New West. "You drove 10, 15 minutes past Berkeley. Now maybe the guy who owned a house in Pinole and always liked living on the fringe will move out to Stanislaus County."

And the guy who lived in Stanislaus County is more likely than ever to cash out and move to Nevada City or to Sparks, Nevada — or anywhere smaller.

Tim Weaver left Berkeley for the North Coast town of Occidental to escape the rat race more than a decade ago. It caught up, and he's getting ready to move his family to Arkansas.

"We can bail out of this place, get a better place in Arkansas and have a good amount of money in our pocket," Weaver said.

Other people are looking for ways to get into neighborhoods like his in rural California.

CeCe Kelly has lived in Santa Monica all her life. She and her family were robbed in their home on New Year's Day in 1990. They're tired of the pollution, won't drink the water and don't trust the schools. Her husband is selling his plumbing

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business, their house is on the market and when it sells, they're bound for the town of Forestville in Sonoma County.

"We want a better life," she said.

California is still growing, to be sure. The Golden State added more than seven million people in the 1980s, and analysts expect the population — now about 30 million — to reach 36 million by the end of the century and 38 million by 2005. But the engine driving that growth has changed: New residents are more likely than ever to move here from outside the United States or to be born here. Immigration from other states has slowed to a trickle.

Deaths are expected to outnumber immigrants by 4.1 million to 3.9 million in the next 15 years, according to Department of Finance analysts.

The state posted a net gain of 36,417 licensed drivers from other states for the year ending June 30, 1991 — barely a fourth of the increase registered two years ago. It was the smallest increase in six years, according to the state Department of Finance.

Each driver represents about a person-and-a-half, according to demographers, who say license data is the best indication of migration within the state and between California and other states.

California recorded its biggest gains from recession-plagued states like Massachusetts, New York and Texas. But, state records show that it lost population to every western state except Colorado in the year ended June 30th. Twice as many people moved to Nevada, Oregon and Washington as arrived from those states.

Oklahoma sent thousands of people to California during the Dust Bowl years, a migration west memorialized by John Steinbeck in "Grapes of Wrath." Now, Oklahoma is one of several states that have set up chamber-of-commerce-style recruiting offices in California. The Sooner state's economic development office claims partial credit for the recent moves to Oklahoma by the 57th Aerospace Group, an aircraft parts-maker in Van Nuys, and the Farr Company of El Segundo, which makes filtration equipment.

The office says it's currently talking with 17 other companies that might move out, and Governor David Walters, interviewed by the Associated Press, said: "I told 50 prospects at a luncheon in Los Angeles several months ago that our California office is our most productive 'foreign office.' They laughed, but it's true. California is foreign in many ways to profitable business."

Demographers say that it's middle-class people in their prime earning years rather than business that is leading the exodus from California. Governor Pete Wilson calls these people the "producers." More and more, he says, they are being replaced by people who receive more in state services than they pay in taxes.

By 1995, according to state computations, tax receivers will outnumber taxpayers. The state defines tax receivers as welfare recipients, students in public schools and state-supported colleges and universities, prisoners, and state-subsidized medical cases other than welfare.

Los Angeles County had a net loss of 105,672 drivers in the year ended June 30th, as more than 315,000 people moved out and fewer than 205,000 arrived from other counties and other states. Los Angeles lost residents to every California county except Lassen and, for the first time since records have been kept, it lost more residents to other states than it gained. Conversely, more rural counties gained population from places like Los Angeles and the Bay Area but lost residents in large numbers to even smaller counties and, increasingly, to other states. Sonoma County, north of San Francisco, for example, grew by 4586, with Los Angeles and the Bay Area accounting for more than half its 20,900 new residents. During the same 12 months, 16,300 people moved out. The most popular destinations? Lake County, Oregon, Sacramento County, Washington, Solano County, Shasta County, Idaho and Placer County.

Mendocino is another "mouse race" county. It made its biggest gains from Los Angeles, Santa Clara and Alameda counties last year while losing people to Humboldt, Lake and Butte counties, as well as to Oregon, Washington and Nevada.

The pattern is the same throughout California.

"Americans are sort of the Daniel Boone model," Kotkin says. "They're always looking for the next frontier. The difference these days is the frontier is not just East-West. It's North-South, it's coast-interior."

California is hurt by its size and its increasingly bad national media image, according to Kotkin and other analysts.

Drought. Earthquakes. The Oakland Hills fire. Skyrocketing real-estate prices. Crawling traffic. All these have been fodder for recent epitaphs including a special edition of *Time* magazine and a story in *Fortune* suggesting California would never recover from the current recession.

"California's image stinks," Kotkin said.

Outside the United States, it seems to be a different view. California is far and away more attractive," said Rand's Morrison. "Things can get awfully sour in California and still look better to people in Eastern Europe or somewhere in turmoil. In that sense, there is sort of an unlimited supply of would-be Californians out there.

"What we seem to see is a transformation of migration patterns that is moving from a California that's the destination of domestic migration in the U.S. to a California that's the destination of a more global pattern of migration flows."

U.S. immigration records showed 682,000 foreign immigrants living in California in 1990 — three times more than the state with the next highest total, New York.

Morrison, the Rand demographics expert who coined "mouse race," said he expects California to continue to attract people from other states and other countries who are looking for an economic opportunitiy. Once they *make*, he says, they may turn around and leave.

"You have this phenomenon of equity refugees — people who *may* be leaving because they want to cash in on their half-million dollar home, buy an equally nice place for half the price in Montana and bank the rest," Morrison said.

"While there are more people moving out than moving in, there are an awful lot of people in Arizona or Nevada who think California is the place they ought to be," he said. "I haven't lost faith in the state's ability to attract people. That tells us there is something that is going right."

Generally speaking the incoming residents tend to be in their 30s or younger and the largest numbers of people leaving are 40 or older.

"Generally there is this contrast," Morrison said. "What that says is basically that people who are seeking economic opportunities still are being drawn to California, at least parts of California. And people are being admitted to other places from California, taking their bundles of money with them."

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California Journal's

ELECTION WEEKLY

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California Journal's ELECTION WEEKLY

Edited by the staff of the *California Journal*

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EDITOR'S NOTE

Welcome

Welcome to the premier issue of *California Journal's Election Weekly*. For the next 40 weeks, we will track California's 154 legislative and congressional races, some of the more important local contests, the occasional special election and maybe even the presidential primary, should it turn out to be important. In recent years, tracking state races has been a modest challenge. Gerrymandering and incumbent inertia usually limited the number of competitive races to under a dozen. But this year is different. Reapportionment has scrambled the political landscape, and perhaps as many as 100 contests will be uncertain. For the most part, *Election Weekly* will try to keep track of who's doing what, where and when. Most news about the races will be grouped geographically, but we will open up special categories on other aspects of the election season — issues, the press, campaign management, advertising or campaign finances — as they warrant special treatment. In addition, each issue will contain a statistical section. Sometimes it will contain maps, as in the current issue, and sometimes it will contain lists or charts on spending patterns. *Election Weekly* is designed to be saved from week to week (subscribers will receive a binder) so that by the close of the election season, readers will have a complete recap at their fingertips. Not every race will be covered every week. But be patient. We will get to all of them eventually.

We invite your comments and suggestions. Candidates and their handlers are particularly encouraged to get in touch with us and keep us posted on their activities.

Scads of Democrats are scrambling for the newly constituted North Bay House seat being vacated by Democrat **Barbara Boxer** of Greenbrae, who's running for the six-year U.S. Senate seat. Among those in the candidate parade for the firmly Democratic CD6, which covers most of Marin and Sonoma counties, are former Rep. **Doug Bosco** (assuming he doesn't run against Rep. Frank Riggs in CD1, his old district); **Eric Koenigshofer,** a former Sonoma County supervisor who's a former Bosco ally; **Lynn Woolsey**, the vice-mayor of Petaluma; **David Strand,** a three-term Cleveland (that's Ohio) city councilman and a liberal immigration attorney; **Bennett Johnston Jr.** (son of the Louisiana Democratic senator of the same name), who has lived in California 17 years and is head of the Trust for Public Lands; former Marin County Supervisor **Denis Rice**; and **Joe Nation.** San Francisco City Attorney **Louise Renne** had considered a run but backed out because reapportionment took her San Francisco home out of the district, and she said she didn't want to run in her own district (CD12) against incumbent Democrat **Tom Lantos**. Instead, Lantos likely will face former Democratic Assm. **Lou Papan** and **Sterling Newberg**. These two likely will bring up Lantos' connection to the Kuwaiti ambassador, whose daughter duped his committee regarding Iraqi atrocities. Potential GOP challengers in CD6 include Assm. **Bill Filante** of Greenbrae, a physician first elected to the Legislature in 1978, and **Bill Boerum,** who lost to Boxer in 1990.

Assm. Speaker **Willie Brown**, who has won near-automatic re-election since 1964, almost had a formidable primary challenger for the newly drawn AD13 in gay activist **Cleve Jones**, a founder of the Names Project AIDS memorial quilt. But Jones left people scratching their heads when he decided suddenly to bow out against Brown and to run instead for a seat on the San Francisco Board of Supervisors, especially since a poll commissioned by James Hormel, a Democratic fund-raiser, showed Jones leading Brown 37% to 35% in the heavily gay district. Jones has denied he cut a deal with Brown, and said that he instead was trying to prevent a split between the black and gay communities, and to make it easier for gay Supervisor **Carole Migden** to run against Democratic state Sen. **Milton Marks** in SD3. The *San Francisco Bay Guardian* speculated that Brown, to pay back Jones for his withdrawal, will give money to the "financially strapped [San Francisco Mayor Frank] Jordan administration" in return for Jordan's promise to appoint Jones to the next vacant supervisorial seat.

Continued on next page

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Meanwhile, Migden, a lesbian, has since said she won't challenge Marks because she doesn't have enough money for the fight, even though the same Hormel poll showed her leading Marks. That leaves **Joe Freitas,** a former San Francisco DA, and San Francisco Superior Court Judge **Lillian Sing** considering a run against Marks, who was first elected to the Senate in 1967 (as a Republican, by the way) after serving 12 years in the Assembly.

The South Bay congressional seat being vacated next year by U.S. Senate hopeful **Tom Campbell** has caused a small stampede of candidates. Long a moderate Republican stronghold, the new CD14 in the heart of the Silicon Valley is 46.5% Democratic and 38% Republican. Republicans considering a run include former San Mateo County Supervisor **Tom Huening,** a moderate endorsed by George Schultz and by Hewlett-Packard prez John Young; former Assm. **Dixon Arnett**; **Michael Maibach,** a lobbyist for Intel; and engineer **G.M. Quaraishi**, whose has lost congressional races before to Tom Lantos. Possible Democratic contenders include San Mateo Supe **Anna Eshoo,** who narrowly lost to Campbell in the last general election; San Mateo Supervisor **Tom Nolan** and Assemblyman **Ted Lempert,** who won a supposedly GOP Assembly seat in 1988 by defeating a GOP incumbent. Also considering jumping in is Stanford University whistleblower **Paul Biddle,** whose scrutiny of government research contracts touched off a scandal resulting in the resignation of Stanford President Donald Kennedy. ☑

With Republican Rep. **Wally Herger** of Yuba City announcing he'll run in CD2 to avoid a contest with Democratic Rep. **Vic Fazio** of West Sacramento in the new CD3, Fazio now is free to concentrate on possible challenges from two former GOP state senators — **H.L. Richardson,** who represented a Los Angeles-area district for 22 years until he retired in 1988; and **Jim Nielsen,** who lost to Democrat Mike Thompson in 1990. Nielsen's luck hasn't been good of late. After losing in 1990, Gov. Pete Wilson appointed him to the ALRB. The Senate, however, dinged the appointment. Fazio, California's best hope of ever having a speaker of the House, is seeking election to an eighth term, but this time he has to make himself known to some new constituents in a less favorable district. In 1990 GOP registration in his district was less than 37%; now, it's up to 40%. Richardson, an arch-conservative who has strong ties to gun lobbies, and who's hired Brian Lungren (brother of Attorney General Dan) to be his campaign manager, likely will force Fazio to defend himself for carrying congressional pay-raise bills and other tasks he undertook as part of House leadership.

Doug Bosco looks as if he wants a rematch for the North Coast seat he narrowly lost to GOP Rep. **Frank Riggs** in 1990. Bosco, a Democrat, lost when a substantial number of Democrats defected to the Peace and Freedom candidate; he says he wasn't really trying that time and promises to take the race more seriously.

Riggs, a peculiar kind of Republican (one of only three to vote against the resolution authorizing Bush to wage war against Iraq) is getting handsome support from other Republicans (including House Minority Whip Newt Gingrich and Housing and Urban Development Secretary Jack Kemp) who know that he's done it before and is a good bet to defeat again a Democrat in a district that's now just 36% Republican. Other Democrats considering a run are first-term state Sen. **Mike Thompson**; former Mendocino County Supervisor **Dan Hamburg,** who's called for a House Ethics Committee investigation of Riggs' alleged voting on matters that affected his personal property; and freelance writer **Mitch Clogg.** ☑

Sacramento County Supervisor **Sandra Smoley,** a Republican who has failed to step up by losing races to Democrats (Rep. Robert Matsui and state Sen. Leroy Greene) reportedly is house-hunting in the newly created CD11 in preparation for another try. This time there is no incumbent standing in the way. The district, which covers nearly all of San Joaquin County and about 10% of Sacramento County, is 51% Democratic and 39% Republican.

Democrats considering a go for the seat are San Joaquin County Supervisor **George Barber** and **Patti Garamendi,** wife of state Insurance Commissioner John Garamendi. Patti had a tough 1991; first she lost to Democratic Assm. Pat Johnston in an attempt to succeed her husband in the state Senate; then, she lost an attempt to succeed Johnston in the Assembly.

Five-term Assm. **Lloyd Connelly** of Sacramento, who was squeezed by reapportionment into the same district as Democratic colleague **Phil Isenberg**, also considered running for the House seat but decided in favor of a Sacramento County Superior Court judgeship. ☑

Los Angeles Westside Democrats have, for the most part, worked out how they are going to divide up a diminished number of legislative and congressional seats. The big loser in the deal is Sen. pro Tem **David Roberti,** whose district was chopped in three by the new reapportionment. He glanced northeast of his current Hollywood district only to find Republican **Newt Russell** sitting in a strong-GOP SD21. In SD23 was fellow Senate Democrat **Herschel Rosenthal,** not ready to retire even though he will be 74 on election day. But chance opened up a vacancy in the nearby San Fernando Valley where **Alan Robbins** gave up his SD20 after admitting to political corruption charges. But taking the Robbins seat cuts short Roberti's tenure in the Legislature. When Robbins' term is up in 1994, Roberti will have served out all the time that's left him under term-limiting Proposition 140.

Two-thirds of the members of Congress did a little better. Democrats **Henry Waxman, Howard Berman and Anthony Beilenson**, in fact, all live near each other. But the Democrat-drawn reapportionment of 1982 gave each a safe and affluent district. Now only two of the new districts, CD26 (Berman) and CD29 (Waxman) have reasonably safe Democratic registrations. But up in CD24, where Beilenson chose to run rather than face near-certain defeat at the hands of Waxman, the registration gives less than a 1% margin to the Democrat, and he now likely will face GOP Assm.

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Tom McClintock next November. McClintock has garnered lots of publicity for himself over the past two years by his outspoken opposition to taxes and compromise state budgets.

Left out in the same squeeze is freshman Assm. **Barbara Friedman**, whose AD46, won in a special election only last year, was chopped up for the benefit of nearby minority communities seeking to send more of their own to the Legislature. Friedman says that to preserve her options she's filing where she lives, AD43. Republicans hold a five-point registration edge in that district, but it's currently represented by **Pat Nolan**, a subject of the FBI's sting or the state Capitol. Friedman says she hopes something opens up before too long, and she's taking a glance at the adjacent AD45 where incumbent **Richard Polanco** is considering running for CD30, thanks to the unexpected announcement that **Edward Roybal** is retiring after 30 years of service. Roybal's decision to bow out eliminated the prospect of Congress' first father-daughter combination. Assm. **Lucille Roybal-Allard** is running in the new CD33.

Sayonara, **Steve Clute**? Redistricting shattered the 5-term incumbent Democrat's old AD68 into three parts, none of them very hospitable — AD64, AD65 and AD80. All have 40%-plus GOP registration and strong GOP candidates. **Ted Weggeland**, 28, is field rep for GOP Rep. **Al McCandless** and the apparent front-runner in AD64, although former Jurupa school board member **Cook Barela** has also announced as a Republican. Barela, 43, a crime analyst with the LAPD, lost a congressional primary in 1988. In AD65, two-term GOP incumbent **Paul Woodruff** is a lock for re-election. And in AD80, Clute might have to deal with GOP incumbent **Tricia Hunter**. Another Democrat, attorney **Julie Borenstein**, also is interested in AD80 and is rumored to be raising money from GOP swing voters. Hunter also is said to be eyeing AD66 but would run up against **Ray Haynes** in the primary. He ran a credible race against popular Democratic Sen. Bob Presley in 1990, and with conservatives poised to hound Hunter out, Haynes is said to be a formidable candidate. Meanwhile, Clute is weighing two unattractive options: running in AD80 or casting for Congress by running in CD44 where incumbent GOP Rep. McCandless would like to keep his job. Two other Democrats are also considering CD44 — retired aerospace consultant Chuck McCarthy of Cathedral City and actor **Ralph Waite**, who gave McCandless all he could handle in 1990. Clute, of course, has a third option — he could quit politics altogether. Meanwhile, McCandless has more than $36,000 in his campaign treasury; Waite has $37, with nearly $300,000 debt still left over from 1990.

A Waite-McCandless rematch may not be the only congressional reprise in the Inland Empire this year. Democratic incumbent **George Brown** likely will face GOP San Berdoo Supe **Bob Hammock** in CD42 as well. Brown, too, has a huge monetary lead at this point. His campaign reports show $71,647 on hand at the end of 1991, compared with only $57 for Hammock, who also has a $180,000 debt left over from 1990. Both Brown and McCandless hung tough in 1990, but both have lost friendly registration in redistricting.

A new congressional seat, CD41, carved out of high-growth territory where LA and Orange counties meet San Berdoo (Pomona, Yorba Linda, Upland and Ontario) is a solid, 50% GOP district that has drawn the attention of three potential candidates: **Chuck Bader**, **John Eastman** and **Jim Lacy**. Bader, a former assemblyman who lost a close race for state Senate against Democrat Ruben Ayala in 1990, is considered the favorite.

Democratic Assm. **Jerry Eaves**, running for San Bernardino supervisor, leaves a vacant AD62, and five Dems have rushed to fill the void. The three to watch are Rialto Mayor **John Longville**, long associated with Eaves and Rep. George Brown; **Joe Baca** who ran two bruising primaries against Eaves in 1988 and 1990; and **Lois Carson**, a well-respected member of the San Berdoo Community College board. On the Senate side, two incumbent GOP Assm. members, **Carol Bentley** and **Dave Kelley**, will square off for SD37, which joins eastern Riverside and San Diego counties, with a small slice of Imperial County thrown in for good measure. Kelley is from Hemet in Riverside County; Bentley is from El Cajon in San Diego County where 65% of the district's registered Republicans live. That would seem to give Bentley an advantage, as would her experience running for the Senate. She lost a 1989 special election to Lucy Killea in the old SD39.

The quietest Southern California bailiwick could be Orange County in 1992, because not much is happening in this predominantly GOP neighborhood. Oh, except for this little race in AD67. That's where three — count 'em — three incumbent GOP Assembly members are squaring off: **Doris Allen**, **Tom Mays** and **Nolan Frizzelle**. Allen and Frizzelle are veterans who have gone at each other before in a special election to fill the state Senate vacancy left when John Seymour went to the U.S. Senate. They were both losers to John Lewis. Mays is seeking his first re-election. AD67 is centered around Huntington Beach, where Mays served as a popular mayor before being elected to the Assembly. He also has a leg up in money, with $65,000 in the bank, compared with $17,000 for Allen and $6500 for Frizzelle. Frizzelle also has a large debt left over from his Senate race. Allen is a strong campaigner who is coming off a statewide victory of sorts as sponsor of Proposition 132 (a fish-rights bill) in November 1990. Frizzelle is touting himself as the only true conservative in the race. Expect remnants of the old "caveman" faction of Prop-13 babies to rally around Frizzelle. Expect environmentalists, who carry some clout in this coastal district, to split between Allen and Mays.

AD73 provides fertile ground for a Republican (56.4%), but the incumbent who lived there — **Bob Frazee** — decided to move into AD74. Apparently, AD73 provided an inconvenient commute for Frazee and his district staff. Presto — an open seat, and the GOP wanna-be stampede has been gathering momentum. Out of the blocks already are Carlsbad Mayor **Bud Lewis**; Oceanside Councilman **Sam Williamson**; Laguna Nigel Councilwoman **Patricia Bates**; Dana Point Mayor **Mike Eggers**; Oceanside attorney **William Morrow**; and San Juan Capistrano attorney **Carlos Negrete**.

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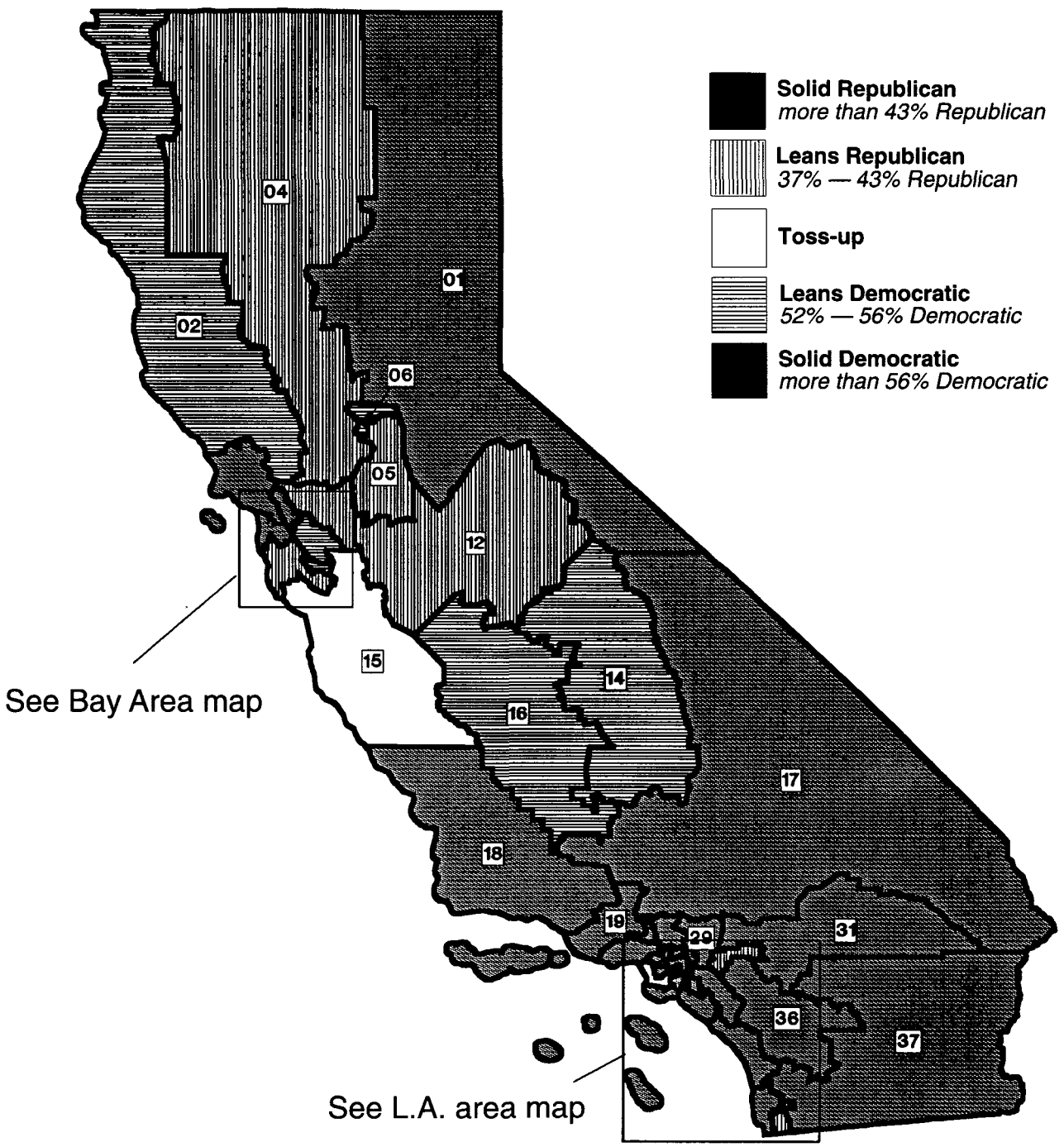
Senate Districts

The maps below and on the next page show the distribution of party registration in the new state Senate districts as drawn by the State Supreme Court. Under the court's plan, at least if current conventional wisdom holds true, eventually there will be few districts that are truly competitive, and the Senate should eventually fall under the control of the Republicans. Only two districts, the 15th and the 28th, are toss-ups that do not at least lean to one of the major parties. Sixteen are solid Republican, with seven leaning that way, The Democrats have a lock on only nine seats, with another six leaning toward that party. However, some districts that should lean Republican are currently held by Democrats. The power of incumbency may overcome registration for a time but, in the long run, particularly with the passage of term limits under Prop. 140, many of these seats will change hands.



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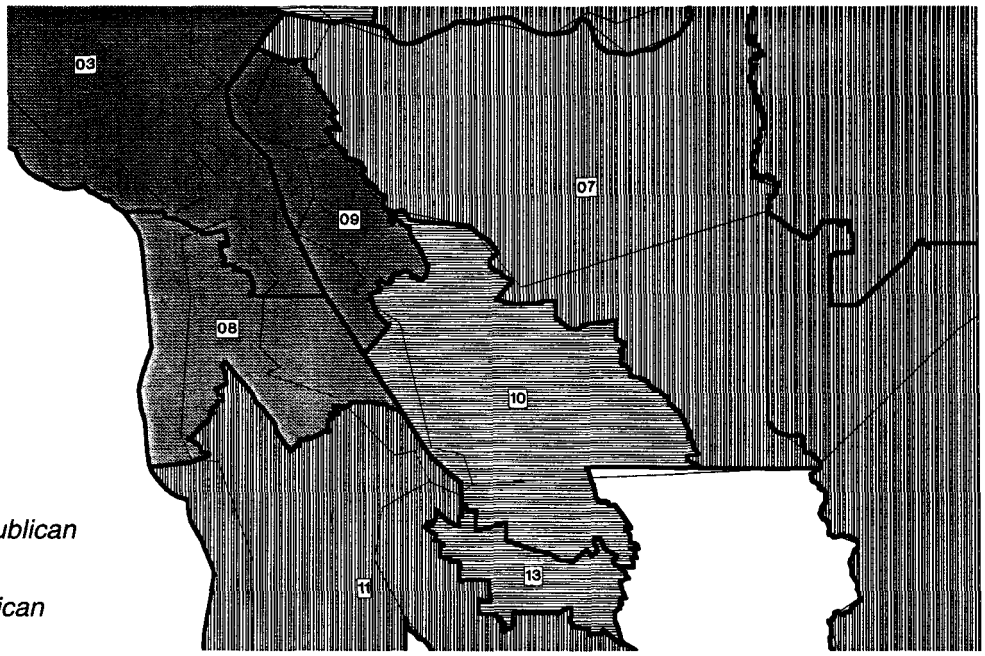
Bay Area map



Solid Republican
more than 43% Republican

Leans Republican
47% — 43% Republican

Toss-up

Leans Democratic
52% — 56% Democratic

Solid Democratic
more than 56% Democratic

L.A. area map

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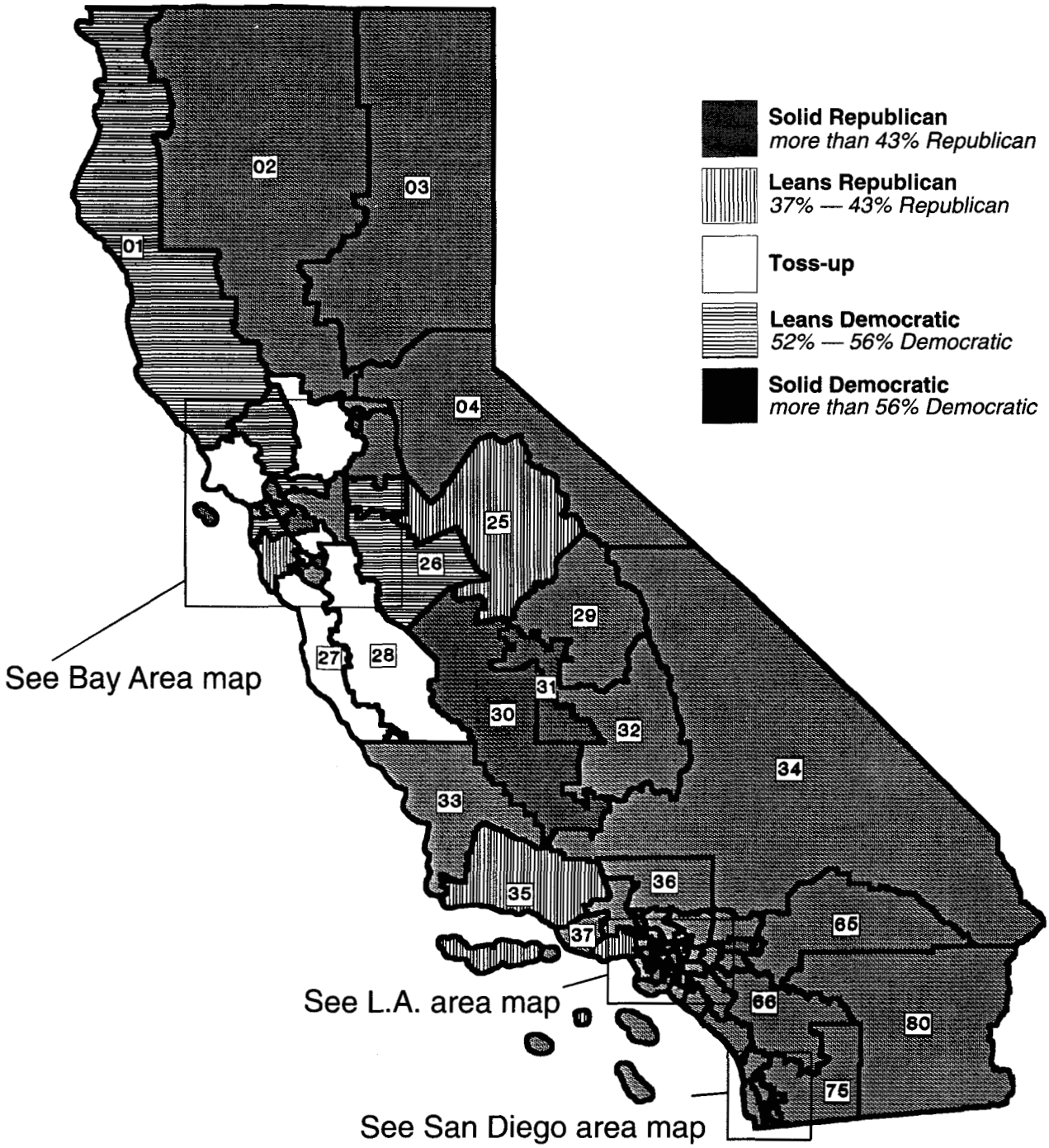
Assembly Districts

The maps below and on the next page show the distribution of party registration in the new state Assembly districts as drawn by the State Supreme Court. Under the Court's plan, at least if current conventional wisdom holds true, eventually there will be few districts that are truly competitive, and the Assembly should eventually fall under the control of the Republicans. Only six districts, the 6th, 8th, 20th, 22nd, 27th and 28th, are toss-ups that do not at least lean to one of the major parties. Thirty-seven are solid Republican, with six leaning that way, and 28 are solid Democratic, with another 13 leaning to that party. However, some districts that should lean Republican are currently held by Democrats. The power of incumbency may overcome registration for a time but, in the long run, particularly with the passage of term limits under Prop. 140, most of these seats will change hands.



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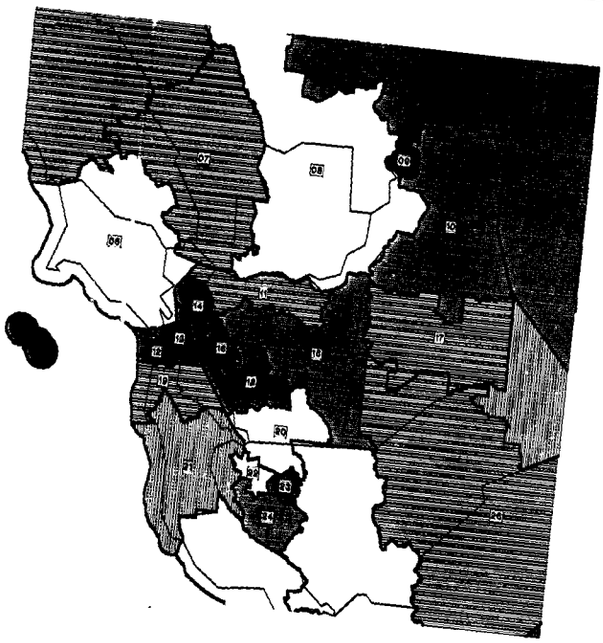
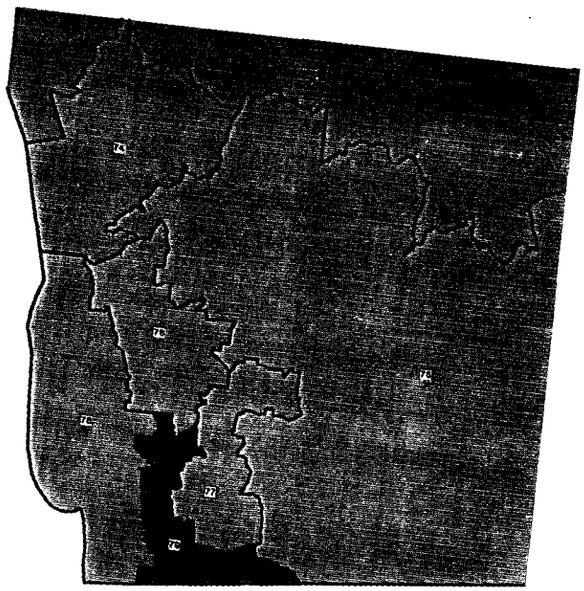
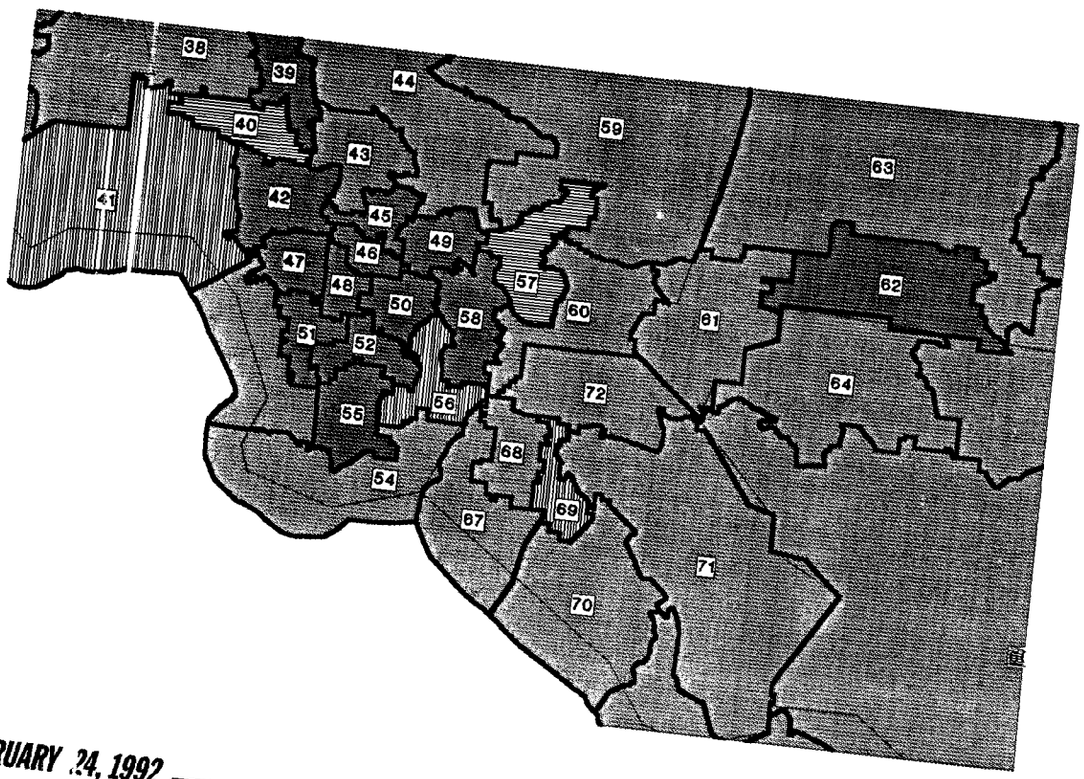


Bay Area map



San Diego area map

L.A. area map



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Well, San Diego certainly won't be boring in 1992. First, there's the San Diego mayoral race where incumbent **Maureen O'Connor** is leaving and the wanna-bes have been posturing for months. A recent poll put Supervisor **Susan Golding** out front, leading slow-growth advocate **Peter Navarro** and City Councilman **Ron Roberts** by better than 2-to-1 each. That would seem to give Golding a commanding lead. But another candidate is lurking on the sidelines, and polls show he would be the front-runner, 10 points up on Golding should he decide to run. That candidate is none other than **Roger Hedgecock**, talk-show host and former mayor. Hedgecock succeeded Pete Wilson as mayor in 1983 but was forced to resign after being convicted on 13 counts of campaign fraud. A dozen of those convictions were overturned on appeal in 1991 and the last was recently reduced to a misdemeanor, making Hedgecock eligible once again to hold public office. Stay tuned.

Then, there are the pleasantries being exchanged between two incumbent GOP congressmen running for CD51 — **Bill Lowery** and **Randy Cunningham**. Attempts by President Bush and Ga. Rep. Newt Gingrich to mediate this nasty brawl — and move one of the contestants into another district — failed. Oddly enough, both candidates had to move into CD51 from CD49, which has a 45%-37% *GOP* registration edge. Maybe the big registration edge wasn't secure enough, given that two prominent Democrats — **Lynn Schenck** and **Byron Georgiou** — are on the other side. Schenck is port commissioner and Georgiou has raised a lot of money. Both once worked for former Governor Jerry Brown. Another congressional race attracting attention is CD50, where Sen. **Waddie Deddeh (D)**, former Rep. **Jim Bates** and City Councilman **Bob Filner** are squaring off. Deddeh is 71 and Bates lost to Cunningham in 1990 after charges that he sexually harrassed members of his staff. ☑

Readers are invited to submit items (debates, major fund-raisers, etc.) for the calendar. Write to CJ *Election Weekly*, 1714 Capitol Ave., Sacramento, CA 95814.

February 28 — March 1

California Republican Party 1992 Spring Convention at the Hyatt-Regency in Burlingame

February 24

The last day any person other than an incumbent may file a declaration of intention to run for office

February 25

The last day candidates for congressional or legislative offices may turn in petitions to the county elections official. Within 10 days, county elections officials shall notify the candidate of any deficiency. The candidate then has until **March 6** to pay a pro-rated portion of the filing fee or until **March 16** to submit a supplemental petition. ☑

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1992 Election Year Service

California Journal's
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MONDAY, FEBRUARY 24, 1992

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FEBRUARY 1992 1

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DAVID ROBERTI FACES THE END

The mixed legacy of a practical politician

By Richard C. Paddock

Senate President pro Tempore David A. Roberti, the son of an Italian immigrant tailor, has survived at the pinnacle of power in California for more than 11 years. A shy, introspective liberal, Roberti has fought off challenges from Republican foes and Democratic rivals alike.

Now, however, a court-ordered reapportionment plan and voter-approved term limits are conspiring to bring his Senate career to a sudden end.

By an odd twist of fate, the Senate's most powerful politician has been forced to run a special election in a new district in order to retain his job for another two-and-a-half years. If he wins, the Los Angeles senator may very well be the first legislator forced out of office by the term limits of Proposition 140.

At the age of 52, the rumpled, pragmatic Roberti has spent nearly half his life in the California Legislature representing the Hollywood district where he grew up. Often underestimated by his foes, he has battled governors, helped shape the state budget and pushed through major legislation to aid the homeless, care for children and ban assault rifles.

Yet despite his tremendous influence over the lives of Californians, Roberti is hardly a household name. His power rivals that of Assembly Speaker Willie Brown, but Roberti has been overshadowed for years by the flamboyant San Francisco Democrat who leads the lower house.

"He has always smarted from standing in the shadow of Willie Brown," said Republican U.S. Senator John Seymour, who, as a state senator, often tangled with Roberti. "Willie's style is so flashy. David is not that kind of leader. He is soft-spoken, quiet and consider-

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Richard C. Paddock is a reporter for The Los Angeles Times *who spent eight years covering the state Capitol. He is now based in San Francisco.*

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ate. He works to build consensus."

Roberti took power in the Senate in a 1980 coup when he put together a slim majority of Democratic senators to elect him president pro tem. In recent years, however, the coalition Roberti built has been tainted by scandal as three of his original supporters have been snared in a federal corruption probe.

Former Senators Alan Robbins, Joseph Montoya and Paul Carpenter — all Los Angeles County Democrats who held important posts under Roberti — have been found guilty or confessed to using their Senate positions to extract money from citizens seeking legislative action.

Despite the fall of his three allies, Roberti has remained aloof from the scandal. Rather than admitting any share of responsibility, Roberti points to the limits of his power and the fragile nature of his leadership position.

"There are only so many people you can treat as pariahs," he said. "If you don't get their votes and can't put majorities together, that gets heavy criticism, too—or the loss of my job."

Now Roberti's job is in jeopardy and, ironically, it is the corruption scandal that has given him the chance of saving his post, at least temporarily.

Under the 1992 reapportionment plan approved by the California Supreme Court, Roberti's Senate seat will vanish with most of its residents divided up among three other districts. By chance, one of the new districts housing some of Roberti's former constituents will be the seat that Robbins vacated last fall in disgrace. A special election will be held in April to fill Robbins' term, and Roberti is running for it.

Should he win, however, Roberti will become the first victim of the state's new term limits. Although the seat will be up in 1994, it will count as his second term under Proposition 140, forcing him to leave the Legislature two years ahead of any other lawmaker.

"Proposition 140 has made us all face our mortality," Roberti said.

In many respects, Roberti is a paradox in power. He is a very private person, yet he has chosen a career where he is constantly in the public eye. A lawyer, he has succeeded in a cutthroat business, but he is a softhearted man who stops his car to help injured animals he sees on the road. He is one of the most liberal members of the Legislature, but he has subordinated his personal views to maintain his position as leader of the fundamentally conservative Senate—a body so traditional that men are not even allowed in the door without a coat and tie.

Short and heavyset, with a prominent nose and beady eyes, Roberti looks more like a large, lumbering teddy bear than a power broker. He has none of the polish or boyish good looks of politicians in the television age. Roberti describes himself as "the world's most unphotogenic person."

"He certainly would not be central casting's pick for president of the Senate," said former Senator Robbins before he pleaded guilty to corruption charges. "The reason David is pro tem, and stays pro tem, is that he is a superb strategist and an excellent mediator."

The key to Roberti's success is his

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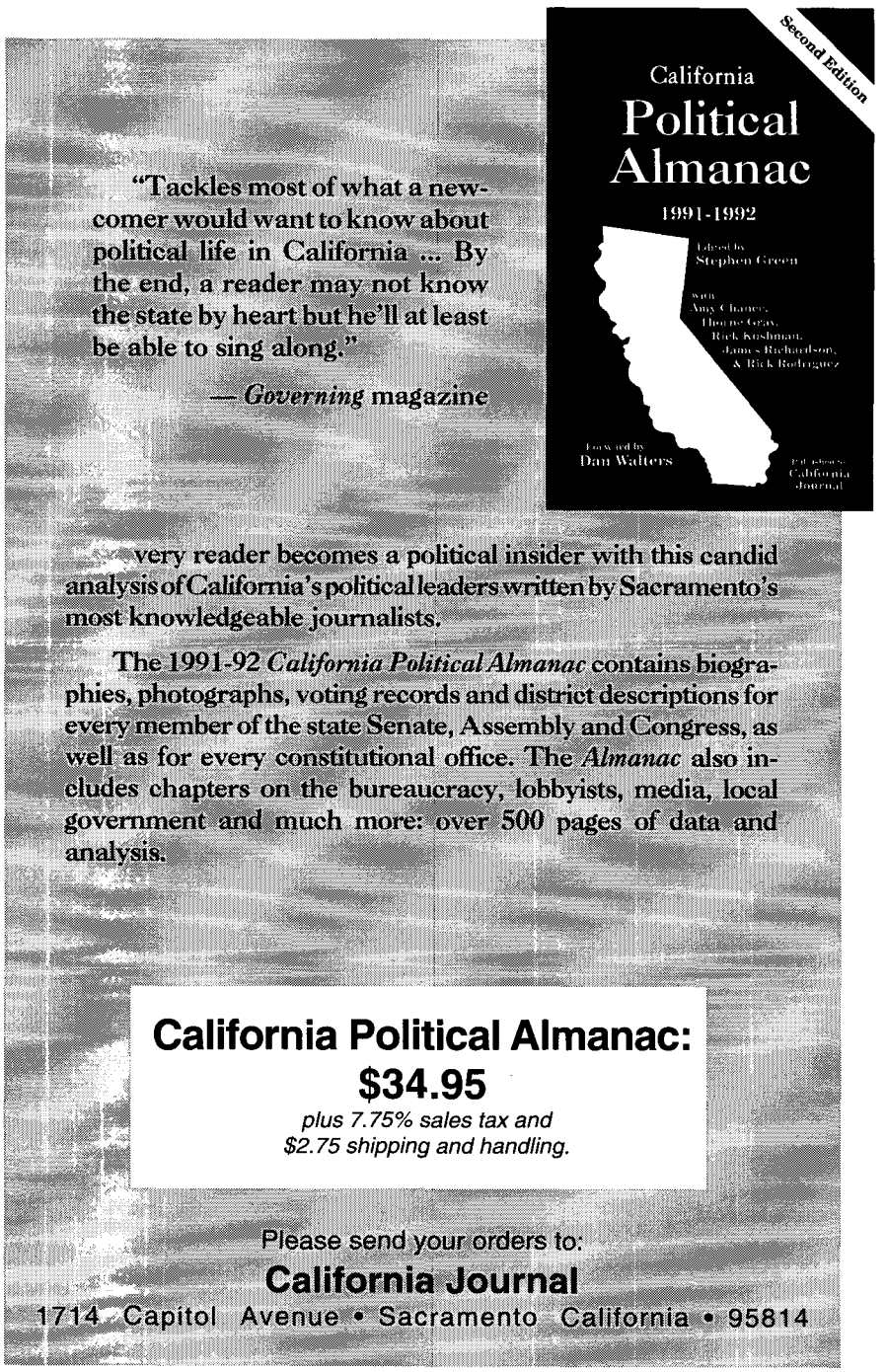
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willingness to seek compromise among the members of his house.

"He's the ultimate pragmatist," said one former staff member who asked not to be identified. "I think for him it's maintaining power that motivates him. I think getting something for his political agenda is definitely secondary. It's the first thing that goes when times are tough."

Unlike the Assembly, where Brown often exercises unilateral authority, the Senate is governed by a five-member Rules Committee chaired by Roberti. Such a system nearly always dictates that he exercise leadership by building consensus among his colleagues.

"The whole business of government," Roberti says, "is creating majorities."

Senators, by virtue of their longer terms and large districts, are a diverse group of lawmakers who like to maintain their independence. To describe the challenge of leading such a group, one legislator offered his Theory of Senators as Walruses:

"They each sit on top of their own rock, protecting their turf," the lawmaker explained. "They don't run around much, but they roar when anybody gets close. David has figured out a way to move all these mighty walruses off their rocks on occasions."

Roberti sees it as his job to forge agreements even if he does not personally agree with the final result. For example, in last year's tumultuous budget negotiations, Roberti helped put together a deal that included an historic cutback in welfare benefits. Although Roberti personally opposed the cuts, he argued that it was the best compromise that could be reached. He pushed the bill through his house and voted for it himself.

"It's a vote I'm sure that he cast with a lot of bile in his mouth," said June Roberti, his wife, longtime supporter and social conscience.

Roberti is aided by a low-key personal style that other members of the Senate seldom find threatening. He is mild-mannered, even humble, and he has a sense of humor about himself that keeps him from taking his job too seriously. A loner by nature, he often seems awkward and detached. But when he cares about an issue, he can be a surprisingly powerful orator.

"People underestimated him," said Los Angeles City Councilman Michael Woo, a former aide to Roberti. "There's almost a change of personality he goes through when you see him sitting in his chair on the Senate floor, then he stands up and gives an exciting, charismatic speech."

In the Senate, he rarely presides over meetings and seldom rises to impose his will on his colleagues. Instead, he sits quietly at his desk in a back corner of the Senate floor, often deep in thought or talking quietly to senators who stop by his desk seeking favors or support.

Roberti is skilled at understanding what his members want and giving them enough to keep them from getting restless.

"I think he is a master of inside politics, the politics of 40 personalities," one former staff member said. "I don't think he's distracted by the large picture. He studies each member and understands what they want. Once he understands what they want, it's not too hard to make sure they get it."

Often that can mean something as simple as assignment to a particular committee or, more important, a chairmanship. Roberti has made that easy by establishing 30 separate standing and select committees, ensuring that there are plenty of plum positions to go around. He also has succeeded in placating his membership by doling out new staff positions to those who are disgruntled.

"I think his leadership is characterized by acceptance of diversity, the assertion of strength at the right time, a very finely tuned political acumen," said Senate Majority Leader Barry Keene of Benicia. "He recognizes the individual political needs of senators who come from districts that are different from his. And yet, when it's necessary to put together that consensus, he can be very forceful."

During his tenure as leader, Roberti has had some success in pushing his personal agenda. He has won passage of legislation creating after-school child housing assistance to the homeless. He played a key part in battling the National Rifle Association and winning passage of a measure to ban assault rifles.

However, he has not done as well with other matters that are important to him, such as prohibiting abortion — an issue on which he disagrees with many of his fellow Democrats. But he is philosophical about what he can accomplish.

"I can do an awful lot here, even if it's just building consensus," he said, "because even in building consensus you can move the world a little bit in the right direction."

Despite his liberal leanings, Roberti has worked well with Republican members of the Senate, developing a particularly close association with GOP Senate Leader Ken Maddy of Fresno.

"We have obviously developed a good working relationship in the Senate over the last several years," Maddy said. "David is a very conscientious and hard working pro tem with a strong desire to show the Senate as a responsible, working group."

The biggest stain on Roberti's tenure as Senate leader is the corruption scandal that led Robbins to resign from the Senate last year and plead guilty to extortion and tax-evasion charges. Former Senators Montoya and Carpenter were convicted by federal juries in 1990 on extortion and racketeering charges.

Roberti acknowledged that he could

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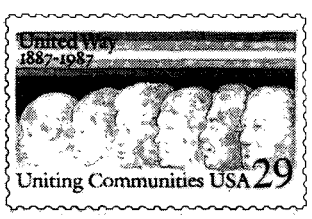

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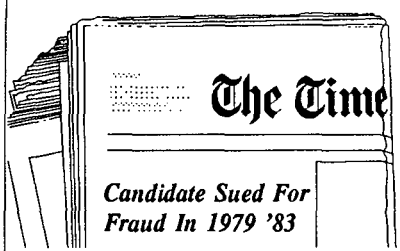

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not have been elected president pro tem in 1980 without the support of the trio. After taking power, he rewarded all three with key positions in the Senate hierarchy. Montoya became chairman of the Business and Professions Committee, a post he used to extort honoraria and campaign contributions from people seeking legislative action before his committee. Roberti named Carpenter Democratic caucus chairman, the number three position in the Senate. Carpenter was responsible for raising campaign money for Democratic legislators and used his post to extort money from interest groups pushing for passage of legislation in the Senate.

And until Robbins resigned from the Senate, Roberti kept him in the post of chairman of the Senate Insurance, Claims and Corporations Committee, where he wielded influence over a wide range of important bills. Robbins also served on a pivotal two-house conference committee responsible for writing the state budget.

All three lawmakers had reputations for heavy-handed fund-raising and sleazy back-room deals long before the FBI caught up with them. But Roberti took no action to limit their power. Roberti declined to discuss the cases of the three senators. But rather than having dictatorial powers over the members of the Senate, he argued, he is beholden to a large extent to the members who elected him leader.

"You have to put together a majority, let's be honest about it," he said. "You have to deal with the membership as they're sent to you. The underlying presumption is that I picked the membership. Not only have I not picked the membership, but the membership has picked me."

Unlike Speaker Brown, who moonlights as a lawyer and accepts controversial clients, Roberti does not practice law outside the Legislature. There are no signs that he has become a wealthy man in office. He and his wife, June, own just two pieces of property — their house in Los Angeles and their house in Sacramento — Roberti said.

The Senate leader does have a penchant for taking free trips at the expense of various groups — a practice he defends on the grounds that foreign travel broadens the outlook of legislators.

Stung by the corruption scandal, Roberti sponsored Proposition 112, a constitutional amendment that banned the acceptance of honoraria by legislators and restricted the gifts and free trips they can receive.

Roberti also argues that over the past two decades, the Senate has gradually made its operations more democratic and accountable to the public. No longer, he said, can a committee chairman sit down privately with a lobbyist and decide the fate of special-interest legislation. Committees can no longer meet in secret to decide the fate of bills and detailed analyses of bills must be available to the public before the Senate can vote on them, he added.

> "He certainly would not be central casting's pick for president of the Senate"

"It was worse, so much worse," he said. "Things have improved vastly... We've opened up the system."

At the same time, Roberti remains close to many of the special interests that dominate decision-making in the Capitol. As the Senate's chief fund-raiser, he has raised more than $10.6 million since 1985 through 18 separate campaign committees he controls. Roberti received huge donations from such groups as labor unions, the California Trial Lawyers Association and the California Medical Association.

"The whole idea that David Roberti is on the high ground is overstated," a former staff member said. "It's a very carefully protected image. Lobbyists know they can come in and work around him. David doesn't stand in front of any moving trains."

A rarity in modern politics, Roberti grew up in the same district he now represents. His father, Emil, who came to the United States as a young man, and his mother, Elvira, the daughter of immigrants, created a noisy, close-knit environment for David and his older brother, Mario.

"Our father is a very out-going person," said Mario Roberti, an oil company attorney in Hawaii. "Our mother was very likeable and quite competitive. These qualities translated into certain goals for their children."

They instilled in their sons the

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values of hard work, humility and high personal standards, as well as faith in the Catholic church, labor unions and, of course, the family. In fact, David Roberti lived with his parents until he was elected to the Assembly at the age of 27. Some years later, they came to live with him.

As a child, Roberti's mother hoped her sons would become entertainers, and she made sure they took dance, singing and piano lessons. "When I was a little kid, my mother dressed me in a little army suit and I would have to perform," David Roberti recalls. "I hated it."

Later, his parents signed him up for lessons in public speaking to help him overcome his shyness, and the skill he developed as an orator has helped him throughout his life in politics.

The Robertis' Hollywood neighborhood was filled with people who worked on the back lots of the studios, but movie-making was not part of David Roberti's life. Even though his father worked every day making costumes for actors and actresses, young David never set foot in a studio until he was a legislator.

The two brothers attended Catholic schools and were diligent students. David developed a love for reading that sometimes drove him to great lengths. At the age of 12, when he was trying to find a quiet place to study, he rode the streetcar all the way from Hollywood to the end of line in Vernon and back again. Mario Roberti recalls that his panic-stricken father searched everywhere for David. "My brother was totally oblivious to what was going on," he said.

Later, the youngest Roberti developed the habit of reading while walking down the street. When he was studying for a big exam, he would walk for miles through the streets of Hollywood with his nose in a book.

Roberti vividly remembers the day the priest gave him last rites. He was nine years old and there was snow on the ground in Los Angeles. He had developed an obscure fever from mosquito bites, contracted blood poisoning from a major case of poison oak and suffered a severe reaction to the medication he was given. He was in and out of a coma for several days. A priest was summoned to his hospital room and administered the rites as his parents stood by crying. But soon after, to everyone's surprise, he made a miraculous recovery. Nevertheless, Roberti's brush with death left its scars.

"It gives you a fatalism that sticks with you," he said. "You've got to do the best you've got without worrying too much about what's going to happen two or three or four years from now."

Roberti's career in politics was shaped by one campaign he never waged. As a senior at Loyola University he toyed with the idea of running for student body vice president but decided against it because he was afraid of losing. The winner ran unopposed, and Roberti still feels bad that he did not run.

"I'm probably the only person left who remembers the event," he said. "It was a wonderful lesson: Regrets are worse than losing." It was a moral he kept firmly in mind as he decided to run for the Assembly and later for the Senate, the post of Senate majority leader and ultimately, president pro tem.

But Roberti's entrance into Democratic politics was as much an accident as anything. He was a young law student — and a Republican — when he attended his first meeting of the Young Democratic Club in Hollywood. To his surprise, he was elected president — and changed his registration shortly afterward. It was the easiest election he ever had.

In 1966 he ran for the Assembly. He was one of 11 Democratic candidates in the primary. Aided by June (his wife-to-be), his parents, his brother and friends, he ran as an anti-Vietnam War candidate, walked precincts and mounted a grass-roots campaign.

"We were young and very idealistic," June Roberti recalled. "We were into the peace movement and farmworker issues. We had a cause."

David Roberti was as startled as anyone when he beat the front-runner in the race. He won a paltry 20.7 percent of the vote, but it was enough to guarantee his future in politics.

"So, I won the first one and here I am," he said. "I never even thought of it in terms of being my career. I always thought I was going to be a lawyer."

After winning his Senate seat in a 1971 special election, Roberti held a series of increasingly important leadership positions. He launched a short-lived campaign for lieutenant governor in 1974, but abandoned it when he found little support.

While Roberti has had great success in winning Senate elections for himself and his allies, he is far from a political kingmaker. His endorsement has carried little weight in other races, including Assembly contests in communities that overlap his own district. In fact, in the last three such races, he has endorsed losing candidates. His only protege to win elective office has been Los Angeles City Councilman Woo.

From time to time, Roberti has considered the possibility of running for mayor of Los Angeles. But despite his power in state affairs, he has been unable to build much of a political base — or even much name recognition — in the city that is his home.

When the time comes to leave the Senate, Roberti said, he might run for another office. Or he might travel, or teach history. But for the time being, he is looking ahead to his next race — and remaining in the Senate.

"Hey, I'm as ambitious as the next person, believe me," he said. "Otherwise I would not be holding this position. But it would be a terrible shame to have spent my time here worrying about what I was going to do next."

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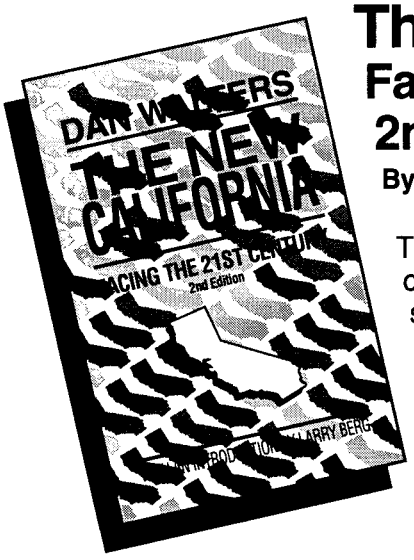

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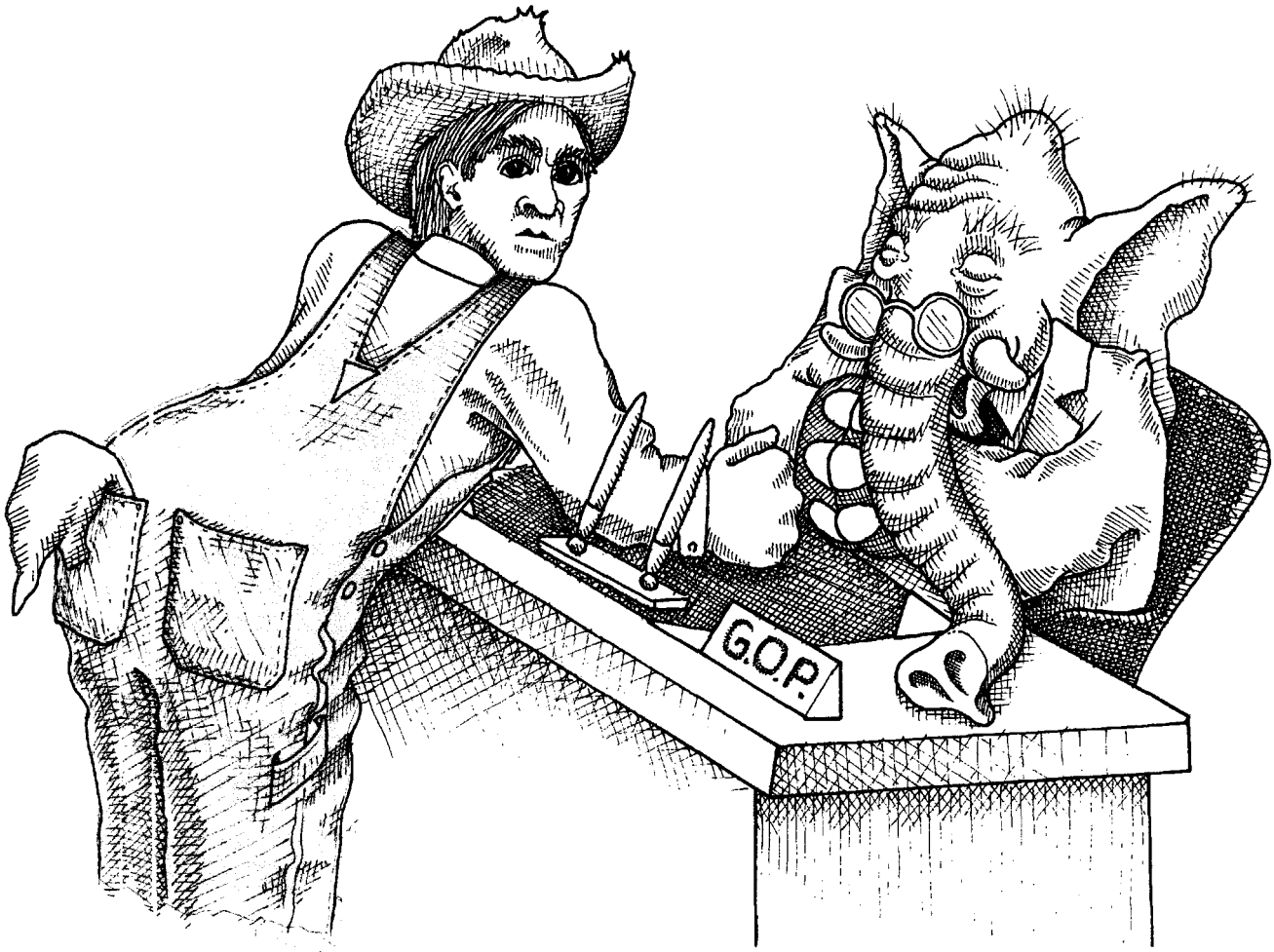

THE ALRB IN THE '90S

Do not disturb ... agency asleep

By Elizabeth Schilling

Not much in the way of controversy is swirling around the Agricultural Labor Relations Board these days. And that seems to suit the board just fine. It hasn't always been this way, of course. In its early, days — during the administration of former Governor Jerry Brown — conflicts between growers and farm-labor unions were detailed on front pages throughout the state.

But the board has undergone some serious changes since its controversial creation in 1975. Back then, the ALRB had a reputation as pro-union. But after George Deukmejian replaced Brown as governor in 1983, and after Deukmejian's appointees began to replace Brown's minions, the agency began to be perceived as pro-grower. Observers expect more of the same under Governor Pete Wilson, who has barely mentioned the agency since taking office in 1991.

The ALRB was established in 1975 after the Legislature passed, and Jerry Brown signed, the Agricultural Labor Relations Act. The Act emerged from often-bloody confrontations between farm workers (many of them migrants) and growers over such issues as pesticide use, adequate housing and wages, and the workers' right to organize into unions. The United Farm Workers was born during this struggle, and its founder and champion, Cesar Chavez, came to national prominence urging boycotts of products such as grapes and lettuce. Essentially, the Act created a means to resolve these disputes by establishing the five-member board. Board members are appointed

Elizabeth Schilling is a freelance journalist from Santa Cruz.

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to five-year, staggered terms by the governor and confirmed by the state Senate. The board investigates complaints of unfair labor practices and oversees elections to determine labor representatives from among farm workers.

In its early years, the ALRB was at the center of a maelstrom as farm workers battled growers and the UFW battled the Teamsters for the right to represent farm workers in collective bargaining. Today, that maelstrom is little more than a light breeze.

"I don't miss the public attention at all," says Don Pressley, current general counsel of the ALRB. "I'm happy if we stay out of the press entirely."

Critics of the agency say Pressley likely will get his way. Although there is still plenty of controversy and abuse in California's fields, they say, workers and unions no longer see the ALRB as the arena in which to resolve their problems. As a result, complaints and caseloads are down.

Reflecting worker disillusionment with the board, the number of alleged abuses filed by workers has dropped from a high of 1302 in 1979-80 (midway through Brown's second term as governor) to 362 in 1990-91. Elections activity — where unions attempt to organize clumps of farm workers and hold elections at various farms and ranches — has dropped more dramatically, down from 400 in 1976 to just 15 in 1990-91. Correspondingly, membership in the United Farm Workers union has plummeted — from a high of 107,000 in 1982 to just 6000 last year. A main reason for the drop, according to UFW leader Chavez, is undercutting by the ALRB.

During its first 15 years, the agency was under the microscope, aggressively watched by all parties involved. Today it seems to have matured into a docile, predictable bureaucracy.

"No one here pays much attention to the ALRB," said Neil Burraston, a consultant with the Senate Industrial Relations Committee, which has jurisdiction over the agency. Previous committee staff spent significant time on ALRB concerns, but budget cuts and Deukmejian appointees less sympathetic to farm workers caused committee staff to shift priorities. "There is still concern about farm-worker issues, but the committee and the Legislature have written off the agency for now," said Burraston.

The desire of past and present Republican administrations "to not put too much burden on the growers," according to Burraston, has dramatically changed the tenor of the agency. Burraston sees nothing different coming under the Wilson administration.

California Farm Bureau Federation lobbyist Roy Gabriel agrees that the agency has changed since the '70s. "I used to devote 80 percent of my time worrying about what was happening at the ALRB," Gabriel said. "Today, I don't even think 1 percent of my time goes to ALRB business."

From Gabriel's view the ALRB has become more objective than it was under Jerry Brown, but Gabriel acknowledges that union interests would not see it that way. As a result, farm workers may be using the agency less, thus making the ALRB a less effective forum for resolution.

"In order for it to function properly it needs the respect of both sides. It probably doesn't have that standing now," said Gabriel.

A former Brown appointee agrees with Gabriel. Pat Henning, currently chief consultant to the Assembly Committee on Labor and Employment and the last Brown appointee

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to the ALRB (1983-88), says the lack of grumbling from growers indicates that employers know the law is being implemented in their favor. This hurts the agency's credibility, Henning said. Yet, even if no complaints are filed, the ALRB must continue to exist, he insisted.

"Still, there is no going back to the days prior to the law. There must be a place to take a complaint or the situation goes into stress. [Prior to the ALRB] too many people got bloodied up," Henning said, referring to the violent conflicts that marked the early organizing days of the United Farm Workers. "At least today we have a law that provides a civilized process."

But other critics think that Republican administrations have made the ALRB an enemy of farm workers. Bill Camp, an early Jerry Brown appointee who served on the board from 1975 to 1985, contends that the agency was purposely dismantled by Deukmejian to the point where it is actually working against farm workers today.

"Given the glut of workers and the poor economy, you don't find any workers secure with their jobs. This is more true in spades among farm workers," said Camp. "Protections of the ALRB are needed now more than ever. People ask why the UFW isn't going to the ALRB. Why would anyone go there when [Pete Wilson's] only appointment has publicly bragged that he is the enemy of the ALRB?"

"As a legislator I was definitely critical of the board," said that appointee — former GOP state Senator Jim Nielsen. Nielsen was named to the board after being defeated for re-election by Democrat Mike Thompson in 1990. "But many things have changed at the ALRB. For one thing, the agency has matured, and I now feel it's fair. I invite anyone who doubts that to observe my actions."

But Democrats in the Senate gave Nielsen precious little time to take any actions. Less than a year after being named, Nielsen's appointment was derailed in the Senate Rules Committee, where his old colleagues refused to confirm him for the job. Basically, Nielsen was in the wrong place at the wrong time seeking the wrong job. Senate Democrats wanted to complain about the tenor of Wilson's appointments and chose the Nielsen confirmation as a tailor-made telegram.

"He made a career out of shooting down the ALRB," said one Senate insider. "Of all the boards to appoint him to, this was the worst."

By refusing his confirmation, Democrats may have demonstrated that they are not about to completely abandon the ALRB to pro-grower interests.

Nielsen's departure leaves two vacancies on the ALRB. But worry not about the added burden on the remaining three members; the UFW's current indifference to what it perceives as a hostile forum has dramatically reduced the ALRB's caseload. Nor does it appear that Wilson is in any hurry to replace Nielsen — or fill another vacancy that has languished since August 1991. His office could give no timetable for filling either of the two vacancies, and few observers expect the governor to appoint a full board — ever.

Thus for the once-intense ALRB, the beat goes indifferently on.

The "vanishing" grower

Two changes affecting the Agricultural Labor Relations Board are apparent: a decrease in labor organizing and an increase in pro-grower sentiment among appointees and staff. But a third change on the agricultural scene may be having the most significant impact of all, and it involves the way growers do business.

Fewer and fewer growers actually employ farm workers directly; many opt instead for "contract laborers" or for other relationships that separate them from those who work their fields. These arrangements may make it difficult to determine against whom a worker should file a grievance under terms of the Agricultural Labor Relations Act.

"The concept of a grower as it used to be is disappearing," said Joe Sahagun, a former field examiner in the ALRB's Southern San Joaquin regional office and now an analyst with the State Board of Equalization.

Labor contractors are the most typical route through which a grower may avoid employer responsibilities, Sahagun said. Other ways include hiring "custom harvesters" who provide equipment along with workers, or small farm-management companies that carry out all aspects of an operation on a consulting basis.

Such arrangements in agriculture began to increase about five years ago, according to Sahagun, and were just beginning to be confronted in formal ALRB complaints when he left the agency in 1988. He left the ALRB, he said, because he no longer felt he could protect farm workers who filed complaints.

"To build a case, you need witness protection," Sahagun said. "After appointment of David Sterling as general counsel, it became increasingly apparent that the agency had no commitment in protecting those who stepped forward."

A current case involving Bud Antel of Salinas will set an important precedent involving contract labor, said current ALRB General Counsel Don Pressley. Antel, a lettuce and mixed vegetable grower, has weathered several worker complaints over the years. Once a one-man operation, his corporation has evolved into a unique shipper status under which it does not technically grow crops or employ field workers. Antel provides vegetable seeds and production standards but passes the risk of hiring workers and harvesting crops along to smaller growers.

The current case, involving an unfair labor practice complaint filed by the Fresh Fruit and Vegetable Workers Union, claims the company wouldn't bargain in good faith. Antel claims it is not the actual employer and as a commercial shipper is exempt from the strictly agricultural concerns of the board.

The board must decide whether the thread of responsibility eventually leads back to Antel.

— Elizabeth Schilling

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A roundup of statewide initiative proposals. All statutes require 384,973 valid signatures; constitutional amendments require 615,958. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal *that contains a full explanation of each measure. To qualify for the November 1992 ballot, it is suggested that signatures be submitted by April 17, 1992. The full texts of all initiatives may be obtained from the Secretary of State's election division, 1230 J Street, Sacramento CA 95814.*

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GRAFFITI. GANG PREVENTION. SALES TAX — an initiative statute, sponsored by Richard Spees of Oakland, Ernie Kell of Long Beach and Ellen Poll of Santa Monica. The measure creates an Anti-Graffiti and Gangs Program, with a director appointed by the governor. The program would be funded by an additional one-dollar sales tax on specified pressurized containers and containers filled with marking substances, plus 10 cents for each specified marker. The tax revenue would go into a special account and distributed to local governments, local law enforcement agencies, local community organizations, higher education, local schools; for paid ads and "graffiti-buster" awards. It also would impose penalties for graffiti vandalism. (May 26th)

EDUCATION. PARENTAL CHOICE. SCHOLARSHIPS — an initiative constitutional amendment, sponsored by Joseph Alibrandi of Los Angeles, that grants parents the authority to decide which schools — public or private — are best suited for their children's needs and to enroll them in those schools. The measure requires the state to provide a scholarship to every resident school-age child equal to a minimum of 50 percent of the amount that state and local governments spent in the preceding fiscal year for each student in grades K-12. The scholarships would be redeemable by any public or private school under specified conditions established by the Legislature. Proponent Alibrandi is co-chairman of ExCEL (the Choice in Education League) whose advisory board includes former U.S. Secretary of Education William Bennett and economist Milton Friedman. (May 28th)

EXPERIMENTAL GAMING PROGRAM. COMMISSION — an initiative constitutional amendment, sponsored by John Brown of Oxnard and Robert Wilson of Studio City, that creates a 28-year experimental gaming program overseen by a three-member commission appointed by the governor for four-year terms. The measure requires the Legislature to enact laws necessary to regulate gaming activity; allow the city of Adelanto to exercise a local option of permitting gaming and establish a local gaming commission; and would make it illegal to conduct gaming without a permit and license. Those requesting gaming permits would be charged an initial fee of $225,000 to be placed in the general fund. (June 8th)

WELFARE. BUDGET PROCESS — an initiative constitutional amendment, sponsored by Governor Pete Wilson, that allows the governor to declare a "fiscal emergency" when the state budget is not adopted or when the projected deficit exceeds specified percentages. Under certain restrictions, the governor would be granted the power to reduce expenditures, including state employee salaries or ordering furloughs to balance the budget. The measure also eliminates or reduces cost-of-living adjustments in three welfare programs; reduces AFDC rates by 10 percent initially and by 15 percent after six months; limits aid for new residents; and provides school incentives for teenage parents. County boards of supervisors would have sole discretion for setting general assistance. (June 11th)

WATERSHED AND FOREST PRACTICES — an initiative statute, sponsored by Glen Spain of Comptche, Cecelia Lanman of Redway and Gary Ball of Talmage. The measure requires permits for timber harvesting and other projects near waterways and limits timber harvesting in "ancient forests" and in watershed areas. It bans harvesting more than 60 percent of timber volume in an area during a 15-year period, with the total volume of timber harvested not to exceed the total volume of timber grown. In addition, the proposal requires that equivalent-sized oak trees be planted for every oak tree removed; requires cities and counties to adopt tree-planting ordinances; designates watershed and endangered habitat areas. (June 15th)

STATE HEALTH CARE PLAN — an initiative statute, sponsored by Michael Weinstein of Los Angeles, that directs (but does not require) the governor to establish a health-care plan to ensure coverage for all employees either by or through their employers and for all other residents of the state. The plan is to be fully implemented by 1997 and requires recipients to bear a portion of the plan's cost. In addition, the measure provides that the plan be financed totally by existing health-care expenditures and mandates that overall medical costs be reduced by at least 5 percent below 1992-93 levels. (June 19th)

MINORS. DRIVING AND ALCOHOL — an initiative statute, sponsored by Carla Lowe of Carmichael, that makes it illegal for anyone under age 21 to operate a vehicle with any amount of alcohol in the blood. Those guilty of violating provisions of the measure would have their drivers' licenses suspended. The suspension would remain in effect for those minors who cause injury while driving with alcohol in their blood, even if it is determined that federal regulations do not require restrictions. (June 22nd)

ENGLISH LANGUAGE INSTRUCTION — an initiative statute, sponsored by Republican state Senator Frank Hill of Whittier and Stanley Diamond of San Francisco, requires public schools to identify all students with limited proficiency in English and to provide them with at least one full year of intensive English language instruction upon written consent of a parent or guardian. The measure also requires schools annually to report the number of these students to the state Department of Education. Among other provisions, the program is to be supported with available funds. (June 26th)

TERM LIMITS. U.S. HOUSE OF REPRESENTATIVES AND U.S. SENATE — two nearly identical initiatives — a constitutional amendment and a statute — sponsored by Anita Anderson of San Francisco. If either measure passes, it would ban from the ballot for the House any member from a California congressional district who has served in the House for six or more of the previous 11 years. It would also ban from the ballot for U.S. Senate any person who has served as a U.S. senator from California for 12 or more of the previous 17 years. Congressional service prior to 1993 would not be counted. Following 1993, however, all full, current and previous terms would be counted even if the person resigned during the term. (June 29th)

Continuing in circulation:

INITIATIVE. REFERENDUM. CITY, CITY AND COUNTY CHARTER — an initiative constitutional amendment, sponsored by Richard Gann of Sacramento. (February 7th; October 1991 *CJ*)

TERMINAL ILLNESS. ASSISTANCE IN DYING — an initiative statute, sponsored by Robert Risley of Pasadena and Allan Briney of Whittier. (March 5th; November 1991 *CJ*)

EXECUTIONS — an initiative statute sponsored by Thomas Hall of Burbank (March 13th; December 1991 *CJ*)

DEATH PENALTY. PUBLIC EXECUTIONS — an initiative constitutional amendment and companion measure to "Executions," also sponsored by Thomas Hall of Burbank. (March 13th; December 1991 *CJ*)

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FIREARMS OWNERSHIP — an initiative constitutional amendment sponsored by GOP state Senator Don Rogers of Bakersfield and Bernadine Smith. (March 20th; December 1991 *CJ*)

TAXATION OF FOOD PRODUCTS — an initiative constitutional amendment sponsored by Democratic Assemblyman Dick Floyd of Gardena. (March 30th; December 1991 *CJ*)

HEALTH CARE PLAN — an initiative statute, sponsored by Michael Weinstein of Los Angeles. (May 1st, January 1992 *CJ*)

HOUSING AND EMPLOYMENT DISCRIMINATION, SEXUAL ORIENTATION — an initiative statute, sponsored by Nancy Otto of San Francisco. (May 4th, January 1992 *CJ*)

EMPLOYMENT DISCRIMINATION. SEXUAL ORIENTATION — an initiative statute, sponsored by Matthew Coles of Berkeley. (May 4th, January 1992 *CJ*)

TERM LIMITS. BOARDS OF SUPERVISORS — an initiative constitutional amendment, sponsored by Proposition 140 guru Pete Schabarum of Los Angeles. This is one of three Schabarum-sponsored initiatives dealing with various term limits currently in circulation. (May 5th; February 1992 *CJ*)

CONGRESSIONAL TERM LIMITS — the second of three initiative constitutional amendments sponsored by Pete Schabarum. (May 5th; February 1992 *CJ*)

CONGRESSIONAL CANDIDATES. LIMITATIONS — the third initiative constitutional amendment from Pete Schabarum. (May 5th; February 1992 *CJ*)

STATE BAR. ELECTED COMMISSIONER. ATTORNEYS — an initiative statute, sponsored by Ronald Price of Tustin. (May 18th; February 1992 *CJ*)

PUBLIC EMPLOYEES' RETIREMENT SYSTEMS — an initiative constitutional amendment, sponsored by Ted Costa and Cliff Haskell of Sacramento. (May 18th; February 1992 *CJ*)

LIMITATION ON FEES FOR STATE PARKS. ENVIRONMENTAL LICENSE PLATE FEES — an initiative statute, sponsored by Mark Massara of San Francisco and Glen Spain of Comptche. (May 21st; February 1992 *CJ*)

BALANCED BUDGET. TAXES — an initiative constitutional amendment, sponsored by Lisa Hughes of Coto de Caza. (June 1st; February 1992 *CJ*)

SALES TAX — an initiative statute, sponsored by Democratic state Senator Art Torres of Los Angeles. (June 1st; February 1992 *CJ*)

TAXES. REFERENDUM — an initiative referendum, sponsored by Chris Fellerson of Elk Grove. (June 1st; February 1992 *CJ*)

Failed to qualify:

RECALL OF GOVERNOR WILSON — a petition to recall Governor Pete Wilson, sponsored by Deborah Murray and Teresa Squier of Sacramento, Herbert Redlack of Carmichael, Sharon Moad of Fair Oaks and Corinne Lavorico of Woodland. (January 16th; September 1991 *CJ*)

CAMPAIGN FUNDING. CONTRIBUTION LIMITS — an initiative statute, sponsored by Republican Assemblyman Ross Johnson of Fullerton. (January 13th; October 1991 *CJ*)

Source: Secretary of State

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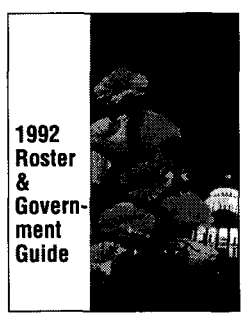

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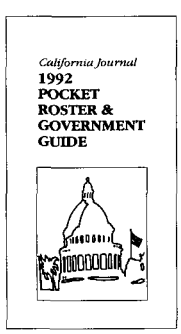

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One year ago, when then-new Governor Pete Wilson wrestled with his first budget deficit, some helpful slashers suggested eliminating the California Arts Council. Wilson declined, saying that the Council's $12 million subsidy amounted to "chump change."

This year, Wilson once again is struggling with a budget crunch. Unfortunately for the Arts Council, the beleaguered governor needs all the chump change he can find. As a result, local symphonies, theatres, elementary school art programs and other grantees of the California Arts Council face uncertain futures. With tax increases a political impossibility in this election year, Wilson is forced to balance the budget through cuts. Last year, all state boards and commissions were cut by 4 percent. This year, those same agencies now face more cuts, consolidation or — in some cases — complete elimination. One of the agencies that may be done away with is the Arts Council.

But life-or-death decisions are nothing new to the Council. Established in 1976, the Arts Council provides grants to artists and art organizations through 11 different programs, with the grants themselves distributed among many different disciplines, including dance, theatre, literature, music and media. Grantees may be individual artists or large organizations such as the San Francisco Symphony or public television. Grants are given for such things as artists working with the elderly, funding a symphony tour of elementary schools or placing works of art in state buildings and universities. Art Council funds usually are matched with private donations.

The Arts Council cause hasn't been helped by recent attacks from both the left and the right over the issue of government support for the arts. Conservatives have complained that the federal government — through the National Endowment for the Arts (NEA) — has funded projects that conservatives consider obscene. Liberals have complained that NEA reaction to the conservatives has led to a kind of government censorship of the arts through pornography "litmus tests" applied to certain grant applications.

The California Arts Council has been drawn into the debate because it gets $1 million of its budget from the NEA. Although the CAC has never received any complaints about the content of any of its projects, some think that a state commission should not take that chance. Republican state Senator Bill Leonard of Redlands thinks a restructured council with no specific grants awarded would avoid the possibility of such controversy. "That becomes too political — my art, your art," said Leonard.

Others question whether California taxpayers should fund the arts at all. State Senator Frank Hill doesn't quarrel with the CAC's job performance. But the Whittier Republican doesn't think it's a "proper role of government."

Assemblyman Tom McClintock, a Republican from Camarillo, agrees. "It's a highly subjective matter," McClintock said of the arts. "Individuals are free to patronize art projects they feel best meet their interests. Private donations are more appropriate."

Those private donations, though, are drying up because of the recession. Joanne Kozberg, director of the Arts Council, says that many arts organizations are reporting deficits for the first time. "With the loss of individual contributions, the financial burden of these organizations falls on the commu-

"CHUMP CHANGE"

Can government afford the arts?

By Maaria Khamis and A.G. Block

Maaria Khamis is a California Journal *intern. A.G. Block is managing editor of the* Journal.

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nity," she said. "The private sector won't be able to take over what we're doing."

Despite the recession, Kozberg thinks that the CAC does help bring in donations, thus helping local economies. Because Arts Council grants must be matched by private funding, artists and artistic organizations are forced to go into various communities to promote their projects.

"Let's say an organization tells its audience or supporters that the CAC is giving it $5000 and, in order to get it, it has to raise $5000," explained Kozberg. "With our small budget we bring in more money from the private sector than any other state agency."

Kozberg said that her council helps California's economy. "Businesses come to environments that they feel have a good education program and a good quality of life," she explained. "The arts is a quality of life issue. We already have a problem with our education system and infrastructure problems. Without these qualities, new businesses won't come to California, and we'll continue to lose the businesses we have. The arts and entertainment are a big industry to California. They are responsible for a balance of trade, and carry an image of our state to the rest of the world. The advertising and design industries are art driven."

Juan Carrillo, CAC deputy director for programs, cites the "Splendors of Mexico" exhibit by the Los Angeles County Museum of Art. "The exhibit brought hundreds of thousands of tourists to California," he said. "These tourists supported the local economy by staying in hotels, buying food, etc."

Besides stimulating the local economy, the "Splendors of Mexico" exhibit is also an example of what Kozberg believes is the most important function of the California Arts Council: bridging cultural differences.

"Look at how the demographics are changing in this state," Kozberg said. "Through art, we can bridge those cultural differences and build an understanding and respect for each other."

Governor Wilson seems to agree. Although the governor included the Arts Gouncil on the list of agencies to be reviewed by the Department of Finance for potential elimination, Wilson is still an advocate of the agency. According to spokesman James Lee, "All boards and commissions are under a normal review process. The governor feels the CAC contributes to the state's cultural diversity. California is known to have a vibrant arts community. Art is integral to California's economic success. Hollywood and art centers are a driving force in California's business community." Wilson is said to believe the council's $16 million budget still is a "modest investment with tremendous dividends down the road."

Wilson has claimed that eliminating the Arts Council would be a symbolic gesture at best, and that its budget would not make any difference in the multi-billion-dollar deficit. The governor's 1992-93 budget did not propose any cuts in Arts Council funds.

Wilson's support of the Arts Council has been said to come from Gayle Wilson's fondness for the Council, and from Kozberg's long ties to the governor. (She was then-U.S. Senator Wilson's senior policy consultant on transportation, entertainment, and the arts). Kozberg denies any personal reasons the governor might have to support her agency. "Every director of every agency has probably worked for him or had interaction with him in some way," she said. "He's trying to solve problems before they become serious. He believes in art education. He knows that we're a valuable community resource. He's been a mayor; he understands what arts can do for a community."

No matter how beneficial the Arts Council may be to California's communities, it, and all other state agencies, will be critically examined when cuts are made. And it has its detractors in the Legislature. McClintock, for one, sees the CAC's budget as a good place to attack the deficit. He wants to eliminate the Arts Council, along with $200 million other such non-essential boards and commissions.

"It has no regulatory purpose at a time when the average family's taxes have been raised $1000," said McClintock, a conservative gadfly who has opposed Wilson's budget proposals on a wide range of topics.

Senator Hill believes that because of our fiscal crisis, "We should focus on state agencies like the CAC. The state has other priorities right now."

Paul Minicucci of the Joint Committee on the Arts, and other defenders of the California Arts Council, say the agency addresses the state's human-service problems. Said Carrillo, "The money spent through the Arts Council is being spent on the problems of education, employment, tourism, the elderly, and mental health. We're addressing the same issues, but approaching them from the arts. Saying the CAC is nonessential is not understanding what we do."

While the funding of the the CAC and all other state agencies was cut in 1991-92 (the Council's administration budget was cut by 20 percent), Senator Hill believes that the Art Council's sophisticated lobbying efforts saved it and its state agency counterparts from the ax last summer. Kozberg said that she knows of only one lobby, the California Confederation of the Arts, and was not aware of any "sophisticated" lobbying effort.

Hill guessed that the new budget will see the CAC dramatically cut or eliminated. "Once you look at boards and commissions you have to think, is this a proper role of government?" he said. "Once you're down that path you have to look critically at the Arts Council."

What if the CAC is eliminated, or its budget dramatically cut? Kozberg is concerned about the future of individual artists and small organizations.

"They don't have access to corporate funding," she said. "They depend on public funds. How do you cut programs without sacrificing all the community programs that are so important? You don't want a situation where the arts are only for those that can afford it."

Kozberg states that she believes Wilson is giving appropriate and fair consideration to the Arts Council.

"The governor's job is to put the state on a strong fiscal basis." Kozberg said. "One way he's doing this is to have the Department of Finance review commissions and boards. And we welcome the opportunity to communciate what we do for the citizens. So we see this as an excellent opportunity to communicate our goals."

Is the California Arts Council an "extremely inappropriate way to spend $16 million during sever economic times," as McClintock suggests? Or is the Council integral to California's future economic and social success? Should taxpayers support art through a government agency? In 1976 the California Legislature thought so, and established the Arts Council. Sixteen years later the Legislature will ask itself these questions in the atmosphere of a new budget crisis.

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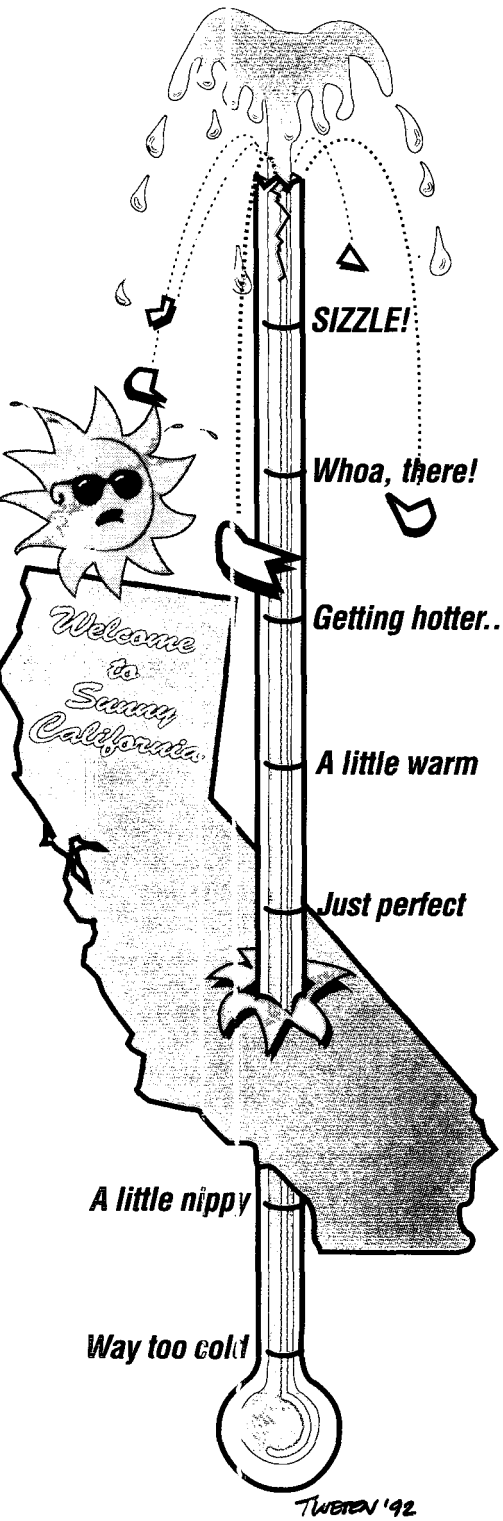

Hot skies over California ... and how to cool them off

By Dr. Jean Merriman

The "greenhouse effect" jumped into the headlines in the late 1980s and then slid off the front page. But one legacy of that moment in the spotlight was that governments at all levels began considering the "what ifs" of a significantly warmer world.

In California, the Energy Commission was directed to look into the impacts of climate change and to develop policy for adjusting to a two- to nine-degree Fahrenheit increase in temperature by the middle of the next century. A change of a few degrees is hard to get worked up over unless you are a farmer or live near the sea coast where the oceans will rise. Or, unless you think about white stuff in the mountains where California's critical water supply is stored as snow. Yet, many important aspects of the state's economy — tourism, agriculture and water management, for instance — are sensitive to climate.

After media attention peaked, doubts were raised about the seriousness of the problem or about our ability to predict a climate-changed future. Some expressed benefits from the change: Extra carbon dioxide, for instance, could make important plants grow with greater water efficiency. But despite the benefits, potential minuses still raise grave concerns.

Global warming. Its very name seems to demand national and international attention. The United Nations is in the midst of developing an international agreement aimed at protecting the climate for present and future generations, with a goal of opening it for signature next June. In April 1991 the prestigious U.S. National Academy of Science weighed in with a report recommending that the United States begin to take steps to limit production of greenhouse gases.

But what can one state do?

Plenty, if that state is California.

Consider, for instance, the impact of 25 million registered vehicles on the atmosphere — more cars than there are people in all of Canada. This is a significant number even when compared to the 500 million world fleet. The importance of unilateral action by California was emphasized in an article in the *New York Times*, which pointed to stringent, trend-setting requirements for clean auto fuel in California. Eight Northeastern states have followed California's lead; Virginia, Maryland, Delaware, Pennsylvania and the District of Columbia also seem to be falling in line. Thus, nearly half the American automotive market will be influenced by standards set in Sacramento. More important, cleaner and more efficient cars mean improvement in related areas of atmospheric pollution such as smog, acid rain and ozone depletion, as well as global warming. How California's lawmakers act on climate policy has the potential to reverberate through national and global markets and to dramatically influence policy around the world.

The California Energy Commission examined climactic impacts and policy recommendations through public hearings but has failed — after nearly four years of on-again, off-again effort — to produce more than two staff reports.

The governor and the Legislature could use the existing reports to consider the best governmental arrangement for mitigating and adjusting to

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Dr. Jean Merriman is a professor in the Department of Environmental Studies and Planning at Sonoma State University. She recently returned from a sabbatical at the Library of Congress where she worked on research involving the greenhouse effect.

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climate change. As with the issue of cleaner auto fuel, California now has a chance to be a bellwether for the development of a comprehensive climate-change policy.

Part of California's pre-occupation with potential global warming has come about because of the on-going drought, now in its sixth year. Even in a greenhouse world, weather still happens. Recently, NASA has estimated that emissions from erupting volcanos in the Phillippines and elsewhere may delay the greenhouse effect, possibly for a few years. This lull — if it occurs — will give decision-makers some breathing room to do some critical, long-term climate-change planning.

Who is in charge of that planning is a question in and of itself. Presently, how to deal with climate issues is divided awkwardly between the Energy Commission and the Air Resources Board — one of several agencies under the umbrella of the new California Environmental Protection Agency (CalEPA). Even the Energy Commission report questions whether future climate policy development should be done by some other group because of the commission's admitted weakness in analyzing climate-change impacts in areas other than energy. It should be noted that the commission's report is strong and very comprehensive in examining sources of carbon dioxide — the most abundant greenhouse gas — and in offering detail for improvements in energy use. It is not so comprehensive in integrating California plans with international policy now under development, or in integrating it with the state's forest management.

Global forest management is critically important because forests take significant amounts of carbon dioxide out of circulation. Forests are an important resource for Californians. The state is among the nation's major timber producers. This resource is disappearing, however, thanks to its conversion to rangelands, urban development, road construction and dams. Each new demand is driven by population growth, estimated to increase from 30 million in 1991 to 41 million by 2010. Statewide, the conversion of conifer lands to other uses between 1950 and 1980 resulted in the loss of 220,000 acres of forest. While this figure is striking in its own right, it takes on a new meaning in the context of global warming.

Both the Energy Commission and the California Board of Forestry recognize that global warming also may reduce forest lands because trees grow better in cooler climates, thus shifting prime growing areas northward. The Board of Forestry's policy to deal with shrinking forestland includes evaluating tree-planting and reforestation efforts to increase storage of carbon. That goal is a long way from reality, however.

In forestry, finding the path that generates the least greenhouse gases is fraught with complications that have not been fully appreciated by policy-makers, especially on the local level. For instance, growing trees take carbon dioxide from the atmosphere and store it in their tissues, and that carbon continues to be sequestered in wood products like lumber. On one hand, it may be that wood will be the building material of choice over fossil fuel energy-intensive steel, aluminum or cement (the latter contributes roughly a ton of carbon dioxide for every ton of concrete produced).

On the other hand, trees pump an enormous amount of energy underground in their root systems, systems that are intimately linked with a largely unseen world of micro-organisms, fungi and other living things. These root-soil ecosystems store an estimated 19 percent of greenhouse gases and underscore the importance of undisturbed forests. Thus, the conflict between cutting trees and preserving trees, already acute in California, takes on a new dimension called "greenhouse accounting."

Forests add significantly to the global sum of greenhouse gases, as well. For example, wood wastes, trimmings from yards and debris from forest clearing become direct sources of carbon dioxide when burned or composted, or of methane when buried in landfills.

Inefficient burning gives rise to carbon monoxide, which in turn leads indirectly to additional accumulation of methane in the atmosphere. Californians burn as much as 725,000 cords of softwood and 260,000 cords of hardwood annually. Moreover, experiments by NASA scientist Joel Levine and his colleagues at the San Dimas Experimental Forest in Southern California suggest that elevated emissions of nitrous oxide from soil micro-organisms occur after test burns in chapparral. The failure of the Energy Commission's policy document to address nitrous oxide adequately is a striking omission because, in greenhouse terms, this gas is perhaps as much as 250 times more potent than carbon dioxide. It has increased in concentration by 5 percent to 10 percent in the past 200 years and is currently increasing at about .25 percent per year.

A 1990 United Nations publication draws attention to the likely vulnerability of semi-arid forests to the greenhouse effect. California's response, for better or worse, may serve as a limited case study for countries that also have Mediterranean climates, such as central Chile, southern Australia and the extreme southern part of Africa. Right now, the combined stress of air pollution, insect infestation and drought are leading to a crisis-level fire hazard in Southern California where an estimated seven billion board feet of dead timber stands throughout the region and in the mountains of the Sierra Nevada — an amount equal to nearly two years' commercial harvest.

What solutions may avert damaging wildfires and the attendant release of greenhouse gases?

No perfect answer presents itself, but there are better and worse ways to go about dealing with the issue. The California Department of Forestry and Fire Prevention is now permitting landowners to voluntarily cut dead trees without filing the usual timber-harvest plans.

But there are other possibilities. With the application of eco-technology, some of which is in place and some of which seems feasible, the dead trees could be chipped and converted to mulch to enhance the sites for replanting trees. Applying "greenhouse accounting," such theoretical reforestation should employ something other than nylon webbing to hold soil in place in replanting areas, since in the United States nylon manufacture contributes about 10

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percent of the nation's nitrous oxide burden. We hear so much about carbon dioxide, it is important to remember that the other greenhouse gases that are present in smaller amounts, like change in our pockets may add up to a significant force for climate change.

Using another approach for dealing with the present dead forests and wood wastes would be to compost them, creating a marketable organic fertilizer. The proposed composting could be a greenhouse credit to the extent that it displaces synthetic fertilizers — an important source of nitrous oxide — although the important research questions about the impacts of huge volumes of organic fertilizer on greenhouse gas emissions have yet to be answered.

A last possibility might be to ferment chipped woodwastes and dead trees to make ethanol fuel for vehicles, something that would support the goals of the 1990 Clean Air Act by proving cleaner fuel for consumers in the Los Angeles air basin and still leave the residue available for compost. Energy-wise, this kind of project may not be viable because it takes energy to cut the trees and to ferment them. But the December 1991 firestorm in Berkeley and Oakland showed that, avoiding fire-related costs while adding in greenhouse benefits makes it worth considering. Ethanol, a cleaner-burning fuel, means less smog and less irritating ozone (which accompanies the smog). While we usually think of ozone holes, the fact is that ozone, too, is a greenhouse gas with numerous harmful effects at ground level.

The world community devotes a great deal of attention to the need to halt deforestation, to assess the possibility of planting trees, and to the need for sustainable management of existing forests. In 1989 the ministers of 68 countries set a goal to combat global warming by increasing forests worldwide by a net 30 million acres per year in excess of deforestation. The Energy Commission's policy document largely relegates the forestry responsibility to tropical regions. Aside from the inequity of wealthy temperate nations that have extensively deforested their lands telling poor tropical neighbors to solve the problem, there is an international consensus that all forests — borea, temperate and tropical — must be managed in a sustainable manner.

In the proposed California policy, however, urban forestry is emphasized, with an objective of planting 20 million trees by the year 2000. Remarkably, populous California has only one government urban forestry specialist assigned to this function. Urban tree-planting indeed has a big greenhouse benefit, but it is only one part of reversing overall deforestation.

Tree losses like those in urbanized Southern California represent an inadvertent deforestation. On the other hand, when advocating tree planting on a massive scale, it is well to remember the ecological dictum, "You can't do just one thing." Nearly a quarter of California is desert, and in this rather unpromising environment some inadvertent "afforestation" has occurred in the form the exotic tamarisk — a shrub that can approach tree size. Several tamarisk species were introduced from the Middle East into the arid southwestern United States in the mid-1800s for use as windbreaks or for horticultural purposes. Today the tamarisk — known as "Salt Cedar" — grows vigorously in Death Valley National Monument, out-competing native vegetation and pre-empting water from desert springs that are essential for the survival of desert bighorn sheep. Greenhouse benefits from increased carbon storage in this case would come at the expense of bio-diversity. However, much of the California desert is in need of restoration and it may be that managing the region more for appropriate long-lived woody shrubs would serve both ecology and climate.

When we move beyond the view of mass-production tree-planting — such as timber plantations — to forest restoration, the situation becomes even more complex. Consider the Carmel River corridor where excessive groundwater pumping resulted in a devastating drying of the river and a catastrophic loss of riparian vegetation. Of the two native willows along the river, one was more tolerant of the dryer conditions than the other. At first blush, a reasonable human adaptation might seem to be to manage a restoration project for more drought-tolerant species. However, the water-loving willow leafs out earlier, providing critical shade and an essential base for the insect food web important to fish and birds. Thus, there is more to consider than just the gross greening of areas.

At the outset, California policy planners might benefit from the experience of other states. Consider that Maryland, which has lost about 140,000 acres of forest land per year, enacted a tree-replacement act that requires each acre of forest removed by a state agency or with state money be replanted at the same site. If adequate space cannot be found, the law requires that the agency pay its Department of Natural Resources $500 per acre lost for tree planting.

So far, so good.

But, Maryland's Highway Administration, one of the largest deforesters, does not have a mission that orients it to off-site tree-planting, and so the agency elected to pass along the $500 fee as part of the cost of building roads. The Department of Natural Resources, faced with a state-wide budget freeze, couldn't hire the foresters to carry out the planting. As a result, little actual tree planting has occurred. Thus, policy must be linked to government's ability to carry out policy.

Another interesting example for employing trees for greenhouse mitigation is that of Applied Energy Services which, in conjunction with the World Resources Institute, has launched a forestry project in Guatemala to offset construction of a 183-megawatt coal-fired plant in Connecticut. This project inspired the introduction of legislation in Massachusetts which, had it become law, would have required operators of power generators greater than 10 megawatts to offset the lifetime production of carbon dioxide through mitigation technology. Although the law failed to pass, it portends a time when regulations and permits may specify greenhouse mitigation for development projects — even in other countries or states.

In California, creative opportunities to plant trees already have yielded multiple social benefits. For instance, at the Mountain View Sanitary District, trees greatly facilitate the evaporation from sewage-treatment marshes. The use of evergreens such as redwood and Douglas fir permit year-round inexpensive treatment and confer many environmental payoffs, including the storage of carbon.

Clearly climate-change policy is complex. The fate of the world's forests is similar to California's in that all are intimately linked with other land and water use demands. These include, among others, the need for food, fuel, housing and improved economic status. The challenge for California lawmakers is to adopt a comprehensive state policy to address these problems and to demonstrate the compatibility of global environmental, economic and development issues.

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

"The reductions I have approved will save us an additional $50 billion over the next five years .... These cuts are deep, and you must know my resolve: this deep and no deeper. To do less would be insensible to progress — but to do more would be ignorant of history."

— President Bush, 1992 State of the Union address.

THE DEFENSE CUTS THAT BUSH ANNOUNCED at the end of January were no surprise. Like most of the key elements of the president's annual federal budget request, the Pentagon's plans had already been planted in the pages of the *New York Times* and the *Washington Post.*

What was a surprise was that members of Congress — many of whom had been demanding two, three, even four times the cuts that Bush proposed — seemed suddenly cowed by the realization that the budget ax could cost the jobs of defense-dependent workers in their hometowns in the middle of a recession.... in the middle of an election year.

Representative Bill Gradison of Ohio, the ranking Republican on the House Budget Committee, said some members of Congress were in a "state of shock" over the hits their districts would take. "I don't see the defense budget entering into free fall because, quite apart from national defense, it means jobs," he said.

For example, the mostly liberal congressional delegations from Connecticut and Rhode Island went into a virtual panic over Bush's plans to cancel the Seawolf submarine that their constituents build in Groton, Connecticut.

And Republicans — who had long argued that every weapon on the drawing board was indispensable to fending off the Soviet red menace — were reduced to pleading for endangered weapons as indispensable federal jobs programs.

"I believe that it is imperative for you to continue the B-2 strategic bomber in light of the economic and technological impact of this system on the state of California as well as the nation," California's Republican Senator John Seymour wrote Bush upon hearing that the president was planning to phase out production of the B-2, which is built by Northrop Corp. of Palmdale, California.

"In California alone," wrote Seymour, who faces a tough election this year, "the B-2 supports directly and indirectly almost 37,000 jobs and generates over $1.2 billion throughout the state's troubled economy on an annual basis."

In his two-page letter, Seymour never even bothered to make a pitch for the B-2 as a strategic weapon that is worth its sticker price of almost $1 billion-per-plane.

It's not that there is no longer a military case to be made for the B-2. To be sure, critics of the radar-evading plane say it is grotesquely overpriced and over-equipped for bombing raids on some upstart Saddam Hussein-type. But the B-2's defenders insist that it could efficiently carry huge bombloads of conventional weapons, slipping past enemy defenses anywhere.

A December letter to Bush, signed by Seymour and 18 Republican House members from California, did back up the pitch to protect B-2 jobs with the argument that the plane still has a purpose. The Californians wrote that the aircraft's "flexibility and survivability, as well as the fact that it does not rely on tanker or fighter escorts, makes the B-2 a cost-efficient investment" that can "defend our interests anywhere in the post-Cold War world while placing fewer pilot lives at risk."

Supporters of the B-2 are pinning their hopes on the awesome breadth of its pork-barrel appeal. As Seymour noted, the B-2 project provides work for "3800 smaller subcontractors and vendors in 218 California cities" and "an additional 2200 subcontractors from 45 other states."

In reality, however, the B-2's backers may be lucky to get what Bush is proposing. He now wants to build a fleet of 20 B-2s, down from the 75 previously planned. On the other hand, Congress last year barred building any more than the 15 B-2s that have already been authorized unless the lawmakers specifically approve going ahead with a 16th plane.

Not all Democrats were on the defensive over defense cuts.

"This is good news for jobs, not bad news for jobs," said Barbara Boxer, a Democrat who represents San Francisco and Marin County. "What we're doing is bringing the money home from Japan and Europe."

The U.S. Senate candidate said that she is one of 62 House members who since 1985 have sponsored unsuccessful legislation that would support the conversion of unneeded defense industries to civilian projects. Now, she urges $150 billion in defense cuts. She wants up to half to go for deficit reduction but the rest to be used to rebuild "infrastructure" such as roads and bridges, to improve education and to support health research.

Adding that the administration has spent only $10 million of $200 million that Congress provided two years ago to retrain displaced defense workers, Boxer said, "I'm sad to see we have an administration that lauded these workers and then let them twist in the wind."

Pentagon critics have long spoken of the rich potential to turn industries of war into thriving manufacturers for an era of peace. "If you can build the best weapons in the world," said Boxer, "you can build the best buses in the world. I believe that."

NOT ALL CONGRESSIONAL EXPERTS THINK it will be that easy. House Armed Services Committee Chairman Les Aspin, a Wisconsin Democrat, recently recalled the sour experience of one defense contractor that tried making transit vehicles for major cities.

"I mean, Grumman," Aspin said, "they made these fabulous F-14s. They can't make a bus worth a damn."

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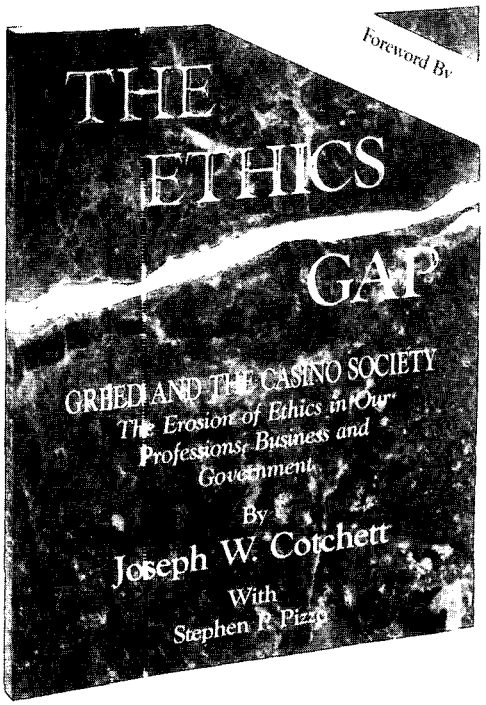
A Book *Every Citizen* Must Read.



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Richard Breeden, Chairman, Securities and Exchange Commission

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The Ethics Gap

Cotchett/Pizzo
Foreword by Ralph Nader
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Stephen Pizzo is an accomplished author. His latest award-winning book, *Inside Job: The Looting of America's Savings and Loans*, is in its tenth printing. Winner of the Investigative Reporters and Editors Book-of-the-Year Award, as well as Book List's Non-Fiction Book of the Year in 1990.

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